

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

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HARVARD PILGRIM HEALTH CARE, INC., )	
HPHC INSURANCE COMPANY, INC., AND )	
HARVARD PILGRIM HEALTH CARE OF )	
NEW ENGLAND, INC., )	
)	Case No. 18-1820C
Plaintiffs, )	
)	Judge Loren A. Smith
v. )	
)	
THE UNITED STATES OF AMERICA, )	
)	
Defendant. )	
_____ )	

**CONSENT MOTION FOR A STAY OF THE PROCEEDINGS**

Harvard Pilgrim Health Care, Inc. (“HPHC Inc.”), Harvard Pilgrim Health Care of New England, Inc. (“HPHC NE”), and HPHC Insurance Company, Inc. (“HPIC”) (collectively, “Plaintiffs” or “Harvard Pilgrim”), respectfully submit this motion to stay proceedings in this case pending a decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *Sanford Health Plan v. United States*, No. 19-1290 (“Sanford”) (consolidated with *Montana Health v. United States*, No. 19-1302). Counsel for Defendant has confirmed that Defendant consents to this motion.

The facts and issues presented in this case mirror those in the consolidated *Sanford* case, pending before the Federal Circuit. Both cases involve insurers’ claims for cost-sharing reduction payments under Section 1402 of the Affordable Care Act on theories of a statutory violation and breach of an implied-in-fact contract. A stay of proceedings in this case pending resolution of the appeal will conserve judicial resources.

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Respectfully submitted,

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