

In the United States Court of Federal Claims

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| MONTANA HEALTH CO-OP, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 19-568C |
| v. |) | (Filed: May 17, 2019) |
| |) | |
| THE UNITED STATES OF AMERICA, |) | |
| |) | |
| Defendant. |) | |
| |) | |
| _____ |) | |

ORDER

The Court is in receipt of the parties’ joint status report filed on May 17, 2019 providing their views regarding whether the Court should stay this case pending a decision by the Court of Appeals for the Federal Circuit in the consolidated appeals of Sanford Health Plan v. United States, Case No. 18-136 (Fed. Cir. No. 19-1290); Montana Health Co-Op v. United States, Case No. 18-143 (Fed Cir. No. 19-1302), and Community Health Choice, Inc. v. United States, Case No. 18-05 (Fed. Cir. No. 19-1633). Because those appeals involve essentially the same issues as are presented in the present action, the Court agrees with the government that the best course is to stay further proceedings in this case pending their resolution by the Federal Circuit.

Therefore, this case shall be **STAYED** pending further order of the Court. The parties shall file a joint status report within thirty days of the Court of Appeals’ decision in one or all of the consolidated appeals, proposing further proceedings in this matter.

IT IS SO ORDERED.

s/ Elaine D. Kaplan

 ELAINE D. KAPLAN
 Judge