

In the United States Court of Federal Claims

No. 17-363C

(E-Filed June 28, 2018)

_____)
RAYMOND G. FARMER, in his)
capacity as Liquidator of Consumers’)
Choice Health Insurance Company,)
and MICHAEL J. FITZGIBBONS, in)
his capacity as Special Deputy)
Liquidator of Consumers’ Choice)
Health Insurance Company,)
)
Plaintiffs,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)
_____)

ORDER

Pursuant to the court’s order of June 7, 2017, this matter was stayed pending the resolution of relevant litigation now before the United States Court of Appeals for the Federal Circuit, specifically Land of Lincoln Mutual Health Insurance Company v. United States, Case No. 17-1224, and Moda Health Plan, Inc. v. United States, Case No. 17-1994. See ECF No. 9. Currently before the court is the parties’ joint status report and request to continue the stay of proceedings in this matter. ECF No. 10. Therein, the parties report that on June 14, 2018, the Federal Circuit issued its decisions in these relevant cases.

Plaintiffs “requested that the United States consent to the continuation of the stay now in effect through the time provided in the appellate court’s rules for the filing of a petition for rehearing and/or rehearing en banc, . . . and through the resolution of any petition for a writ of certiorari.” Id. at 2. The parties jointly request a continued stay until the Federal Circuit issues its mandates in Land of Lincoln and Moda, and through the time required for the resolution of any petition for a writ of certiorari.

For good cause shown, the parties’ request to continue the stay in this matter is **GRANTED**. The clerk’s office shall continue the stay in this matter until further order

of the court. The parties are directed to **FILE** a **joint status report** in this case within **30 days** after the judgments that issued in Moda and Land of Lincoln have become final and non-appealable.

IT IS SO ORDERED.

s/ Patricia E. Campbell-Smith

PATRICIA E. CAMPBELL-SMITH
Judge