

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

WISCONSIN PHYSICIANS SERVICE	:	
INSURANCE CORPORATION, et al.,	:	Case No. 17-1070C
	:	
Plaintiffs,	:	Judge Braden
	:	
v.	:	
	:	
THE UNITED STATES OF AMERICA,	:	
	:	
Defendant.	:	

**JOINT STATUS REPORT AND
REQUEST TO CONTINUE STAY OF PROCEEDINGS**

On August 23, 2017, the Court stayed this case pending the Federal Circuit’s decisions in *Land of Lincoln Mutual Health Insurance Company v. United States*, No. 17-1224, and *Moda Health Plan, Inc. v. United States*, No. 17-1994. Docket 7. The Court directed the parties to file a joint status report within thirty days after the Federal Circuit renders a final decision in *Land of Lincoln* and *Moda*. *Id.* On June 14, 2018, the Federal Circuit decided *Land of Lincoln* and *Moda*. No. 17-1224, Docket 166-1; No. 17-1994, Docket 87-1, and on November 6, 2018, denied the insurers’ petitions for *en banc* consideration, No. 17-1224, No. 17-1994, Docket 148.

In order to conserve the resources of the parties and this Court, the parties respectfully inform the Court of their desire to continue the stay in this case until the decisions in *Land of Lincoln* and *Moda* are non-appealable, including through the time for the disposition of any petition for a writ of certiorari that may be filed before the United States Supreme Court. If no petition for a writ of certiorari is filed, the parties propose that they file a status report with this Court within 30 days after the deadline for that petition has passed. If a petition for a writ of certiorari is filed, the parties propose that they file a status report with this Court within 30 days

after final disposition by the United States Supreme Court, whether by denial of the petition or decision on the merits.

Respectfully submitted,

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