

# In the United States Court of Federal Claims

No. 17-95

Filed: June 14, 2017

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BLUE CROSS AND BLUE SHIELD OF  
KANSAS CITY,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

At the court’s request, the parties in the above-captioned action met and conferred through counsel regarding whether the parties would consent to stay this action pending the United States Court of Appeals for the Federal Circuit’s final disposition of the consolidated appeals in *Land of Lincoln Mut. Health Ins. Co. v. United States*, 129 Fed. Cl. 81 (2016) (Lettow, J.), *appeal docketed*, No. 17-1224 (Fed. Cir. Nov. 16, 2016), and *Moda Health Plan, Inc. v. United States*, 130 Fed. Cl. 436 (2017) (Wheeler, J.), *appeal docketed*, No. 17-1994 (Fed. Cir. May 9, 2017). The parties consent to stay all further proceedings in this action pending a final decision by the United States Court of Appeals for the Federal Circuit in the consolidated appeals in *Land of Lincoln/Moda Health Plan*.

For these reasons, this case is stayed pending a final decision by the United States Court of Appeals for the Federal Circuit in the consolidated appeals of *Land of Lincoln Mut. Health Ins. Co. v. United States*, No. 17-1224 (Fed. Cir. Nov. 16, 2016), and *Moda Health Plan, Inc. v. United States*, No. 17-1994 (Fed. Cir. May 9, 2017). The parties will file a joint status report within fifteen days of the United States Court of Appeals for the Federal Circuit’s final decision in the *Land of Lincoln* and *Moda* appeals.

**IT IS SO ORDERED.**

s/Susan G. Braden  
**SUSAN G. BRADEN,**  
**Chief Judge**