

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

HEALTHFIRST PHSP, INC.,)	
)	
Plaintiff,)	No. 20-179C
)	
v.)	
)	Judge Sweeney
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
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CONSENT MOTION TO STAY PROCEEDINGS

The United States respectfully moves the Court, with Plaintiff’s consent, to stay this action until the United States Supreme Court issues a decision in the four cases consolidated for the purposes of briefing and oral argument under the lead case *Maine Community Health Options v. United States*, 729 F. App’x 939 (Fed. Cir. 2018), *cert. granted*, 139 S. Ct. 2743 (U.S. June 24, 2019) (No. 18-1023) (the “risk corridors cases”). Argument was held December 10, 2019.

On February 20, 2020, Plaintiff filed this action seeking \$7,651,382.04 in money damages for benefit years 2014-16 of the risk corridors program, 42 U.S.C. § 18062, created by the Patient Protection and Affordable Care Act. Dkt. 1. The legal issues presented in this case are similar to the issues relating to the risk corridors program raised in the risk corridors cases pending before the Supreme Court. Thus, a stay here will conserve judicial resources and the resources of both parties.

For these reasons, the United States respectfully moves the Court, with Plaintiff’s consent, to stay this action until the Supreme Court issues a decision in the risk corridors cases. Additionally, the United States requests that the Court order the parties to file a joint status report within 30 days of such a decision, advising the Court as to future proceedings in this case.

Dated: March 13, 2020

Respectfully submitted,

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