

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

NEW MEXICO HEALTH CONNECTIONS,)	
A New Mexico Non-Profit Corporation,)	
)	
Plaintiff,)	No. 16-1199C
)	
v.)	
)	Judge Smith
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
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**JOINT STATUS REPORT AND REQUEST
TO CONTINUE STAY OF PROCEEDINGS**

On May 4, 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. Dkt. 13. The Court required the parties to submit a status report no later than 14 days following the *Land of Lincoln* and *Moda* decisions. Dkt. 13. On June 14, 2018, the Federal Circuit decided *Land of Lincoln* and *Moda*. No. 17-1224, Dkt. 166-1; No. 17-1994, Dkt. 87-1. The Federal Circuit reversed the judgment in the insurer’s favor in *Moda* and affirmed the judgment in favor of the United States in *Land of Lincoln*.

Plaintiff has 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, Fed. Cir. R. 35, 40, and through the resolution of any petition for a writ of certiorari. In order to conserve the resources of the parties and this Court, the parties respectfully request that the Court continue the stay in this case until the Federal Circuit has issued its mandates in *Moda* and *Land of Lincoln* and through the time for the disposition of any petition for a writ of certiorari that may be filed before the United States Supreme Court.

The parties propose that they be required to file a status report with this Court within 15 days after the judgments in *Moda* and *Land of Lincoln* have become final and non-appealable.

Dated: June 27, 2018

Respectfully submitted:

CHAD A. READLER
Acting Assistant Attorney General

RUTH A. HARVEY
Director
Commercial Litigation Branch

KIRK T. MANHARDT
Deputy Director

/s/ Phillip M. Seligman
PHILLIP M. SELIGMAN
FRANCES M. MCLAUGHLIN
TERRANCE A MEBANE
MARC S. SACKS
SHANE HUANG
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 875 Ben Franklin Station
Washington, DC 20044-0875
P: 202-307-1105
F: 202-307-0494
Phillip.seligman@usdoj.gov

Attorneys for Defendant

/s/ Barak A. Bassman

Barak A. Bassman
Sara B. Richman
Leah Greenberg Katz
PEPPER HAMILTON LLP
3000 Two Logan Square
Eighteenth and Arch Streets
Philadelphia, PA 19103-2799
P. 215-981-4000
F. 215-981-4750
bassmanb@pepperlaw.com
richmans@pepperlaw.com
katzl@pepperlaw.com
Marc D. Machlin
PEPPER HAMILTON LLP
Suite 500
600 Fourteenth Street, N.W.
Washington, D.C. 20005-2004
P. 202-220-1200
F. 202-220-1665
machlinm@pepperlaw.com

Attorneys for Plaintiff