

In the United States Court of Federal Claims

No. 17-347
(Filed: 11 May 2020)

BLUE CROSS AND BLUE SHIELD *
OF ALABAMA, *
*
Plaintiff, *
*
v. *
*
THE UNITED STATES, *
*
Defendant. *

ORDER

On 2 July 2018, the previous judge assigned to this case stayed the case until further order of the Court and ordered the parties to file a joint status report within 30 days after the judgments in Moda Health Plan, Inc. v. United States, Federal Circuit Case No. 17-1994 and Land of Lincoln Mutual Health Insurance Company v. United States, Federal Circuit Case No. 17-1224 "have become final and non-appealable." Order, ECF No. 20. This case was reassigned to the undersigned Judge on 29 July 2019. See Order, ECF No. 21.

On 8 May 2020, plaintiff filed an unopposed motion to lift the stay and establish certain deadlines. See Unopposed Mot. to Lift Stay & Establish Certain Deadlines, ECF No. 24. Plaintiff reports "[o]n April 27, 2020, the Supreme Court of the United States issued its decision in Maine Community Health Options v. United States, No. 18-1023, which reversed and vacated the judgments of the United States Court of Appeals for the Federal Circuit in Maine Community Health Options and three other cases involving claims under the risk corridor stabilization program established by the Affordable Care Act, including Moda Health Plan, Inc. v. United States, No. 18-1028, and Land of Lincoln Mutual Health Insurance Co. v. United States, No. 18-1038." Id. at 1-2. Under the terms of the Court's 2 July 2018 Order, the parties are required to submit a joint status report on or before 27 May 2020. Id. at 2. Plaintiff requests the Court extend the deadline by two days, or until 29 May 2020. Id.

Additionally, plaintiff reports in its motion its intent to file an amended complaint, which under Rule 15(a)(3) of the Rules of the Court of Federal Claims would require the government to respond to the amended complaint within 14 days. In its motion, "[p]laintiff requests that the date for Defendant's Answer or other response to the First Amended Complaint be suspended pending further order of the Court." Id.

For good cause shown, the Court orders the following:

- (1) The stay in this case is **LIFTED**;
- (2) The parties shall file a joint status report on or before **29 May 2020**; and
- (3) The deadline for the government to respond to plaintiff's amended complaint is suspended pending further order of the Court.

IT IS SO ORDERED.

s/ Ryan T. Holte
RYAN T. HOLTE
Judge