

In the United States Court of Federal Claims

No. 17-97C

(Filed: May 13, 2020)

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 *
 MOLINA HEALTHCARE OF *
 CALIFORNIA, INC., and *
 MOLINA HEALTHCARE OF FLORIDA, *
 INC., *et al.*, *
 *
 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *
 *

ORDER

On May 12, 2020, the parties filed a joint status report where counsel for the Government requested 45 days to assess how the Supreme Court’s decision in *Maine Community Health Options v. United States*, No. 18-1023, 2020 WL 1978706 (U.S. Apr. 27, 2020), impacts the Government’s liability under the risk corridor program. Dkt. No. 33. Plaintiffs oppose a 45-day extension and submit that 15 additional days is sufficient for the Government to determine whether it agrees to the final risk corridor damages for calendar years (“CY”) 2014 and 2015 agreed to by stipulation. Dkt. No. 26.

For good cause shown, the Court GRANTS Plaintiffs’ motion IN PART, extending the deadline by 30 days. On or before June 12, 2020 the parties shall:

1. File a joint report detailing any additional risk corridor damages amount the Government owes Plaintiffs for CY 2016 by stipulation, if possible. This amount will be added to the \$52,371,915.80 risk corridors amounts the parties previously stipulated are the “final damages” for CY 2014 and CY 2015.

2. If the parties reach a consensus on the final damages for CY 2014, CY 2015, and CY 2016, then the parties shall file a motion for consent judgment in that total risk corridors damages amount.
3. If the parties are unable to stipulate to an agreed-upon risk corridors damages amount, they must file a joint status report explaining the discrepancy.

IT IS SO ORDERED.

s/ Thomas C. Wheeler
THOMAS C. WHEELER
Judge