

# In the United States Court of Federal Claims

No. 18-491  
Filed: June 12, 2018

\*\*\*\*\*  
 \*  
 BLUE CROSS AND BLUE SHIELD \*  
 OF NEBRASKA, *et al.*, \*  
 \*  
 Plaintiffs, \*  
 \*  
 v. \*  
 \*  
 THE UNITED STATES, \*  
 \*  
 Defendant. \*  
 \*  
 \*\*\*\*\*

## ORDER

On June 11, 2018, the Government filed an Unopposed Motion To Stay Proceedings in this case, pending the United States Court of Appeals for the Federal Circuit’s final disposition of the consolidated appeals in *Moda Health Plan, Inc. v. United States*, 130 Fed. Cl. 436 (Fed. Cl. 2017) (Wheeler, J.), *appeal docketed*, No. 17-1994 (Fed. Cir. May 9, 2017), and *Land of Lincoln Mut. Health Ins. Co. v. United States*, 129 Fed. Cl. 81 (Fed. Cl. 2016) (Lettow, J.), *appeal docketed*, No. 17-1224 (Fed. Cir. Nov. 16, 2016). ECF No. 9. The June 11, 2018 Unopposed Motion requests a stay, “[b]ecause some of the issues presented in this case mirror issues raised before the Federal Circuit in *Land of Lincoln* and *Moda*, the further development of those companion cases on appeal will be instructive, and potentially dispositive of issues here.” ECF No. 9 at 5. The June 11, 2018 Unopposed Motion also states that a stay will “conserve judicial resources and the resources of both parties by reducing the amount of briefing of issues before this [c]ourt.” ECF No. 9 at 5.

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 *Moda Health Plan, Inc. v. United States*, No. 17-1994 (Fed. Cir. May 9, 2017), and *Land of Lincoln Mut. Health Ins. Co. v. United States*, No. 17-1224 (Fed. Cir. Nov. 16, 2016). The parties are directed to file a joint status report within thirty days after the United States Court of Appeals for the Federal Circuit renders a final decision in *Land of Lincoln* and *Moda*.

**IT IS SO ORDERED.**

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