

In the United States Court of Federal Claims

No. 16-1722
(Filed: 3 June 2020)

HEALTH NET, LLC, et. al.,
Plaintiffs,
v.
THE UNITED STATES,
Defendant.

ORDER

On 27 May 2020, plaintiffs filed a second unopposed motion for leave to file an amended complaint. See Unopposed Mot. for Leave to Amend Compl., ECF No. 27. Plaintiffs seek to amend the complaint "to update the damages amount for benefit years 2014 and 2015 and to include additional damages for benefit year 2016 for Health Net, as well as to include damages for benefit years 2014-2016 for Celtic, and damages for benefit years 2015 and 2016 for WellCare." Id. at 1.

Pursuant to the Court's 12 May 2020 order, the parties filed a joint status report on 29 May 2020. See Joint Status Report, ECF No. 28. Plaintiffs "maintain [their] position that the Supreme Court's [27 April 2020] decision in Maine Community Health Options et al. v. United States, 18-1023 requires a judgment in favor of Plaintiff[s] in this case, without the need for further proceeding or delay." Id. at 1. The government, on the other hand, reports it continues to review the Supreme Court's decision and to "assess[] the next steps in all the risk corridors cases affected by that decision." Id. at 2. The government therefore requests an additional 31 days, or until 29 June 2020 "within which to consider its position in these cases and to propose, jointly with the plaintiff[s] to the extent possible, a course to govern proceedings moving forward." Id. at 3.

The Court will allow the government additional time requested; however, by the end of June the government will have spent over two months considering the Supreme Court's decision in Maine Community Health Options et. al. v. United States, 140 S. Ct. 1308 (2020). Accordingly, the Court does not expect to grant further extensions of time.

For good cause shown, the Court orders the following:

- (1) Plaintiffs' unopposed motion for leave to file an amended complaint is GRANTED;

- (2) The parties shall file a joint status report on or before **29 June 2020** proposing a schedule for future proceedings in this case; and
- (3) The government shall have until **13 July 2020** to answer the amended complaint.

IT IS SO ORDERED.

s/ Ryan T. Holte
RYAN T. HOLTE
Judge