

In the United States Court of Federal Claims

No. 20-546
(Filed: 1 July 2020)

 CIGNA HEALTH AND LIFE INSURANCE, *
 COMPANY, *et al.*, *
 *
 Plaintiffs, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *
 *

ORDER

On 1 July 2020, the government filed an unopposed motion for extension of time within which to respond to Counts I and II of plaintiffs’ complaint and unopposed motion to stay Counts III and IV of plaintiffs’ complaint. *See* Consent Mot. to Extend the Time to Resp. to Pls.’ Risk-Corridors Claims & to Stay Pls.’ Cost-Sharing Reduction Claims, ECF No. 6. Plaintiffs consent to both requests.

First, the government requests an additional 30 days “to discuss a possible stipulation for entry of judgment to resolve counts I and II of the complaint” because “the Supreme Court’s decision in *Maine Community Health Options* may entitle issuers to receive damages for unpaid risk-corridors payments.” *Id.* at 2. The government’s response to the complaint is currently due 6 July 2020.

In addition, the government requests the Court stay proceedings related to Counts III and IV, plaintiffs’ cost-sharing reduction claims, pending a decision in one or all of the following cases pending before the U.S. Court of Appeals for the Federal Circuit: *Sanford Health Plan v. United States*, No. 19-1290; *Montana Health Co-Op v. United States*, No. 19-1302; *Community Health Choice, Inc. v. United States*, No. 19-1633; and *Maine Community Health Options v. United States*, No. 19-2102. *Id.* at 1. The government reports the Federal Circuit’s decision in these cases “will likely resolve many, if not all, of the substantial legal issues underlying plaintiffs’ [cost-sharing reduction] claims.” *Id.* at 3. The government proposes the parties file a joint status report proposing further proceedings within 30 days after the Federal Circuit’s decision in one or all of the listed cases. *Id.* at 1–2.

For good cause shown, the Court **GRANTS** the government’s unopposed motion for extension of time to respond to Counts I and II of plaintiffs’ complaint. The parties shall, on or before **5 August 2020**, either: (1) file a joint stipulation for entry of judgment as to Counts I and

II; or (2) file a joint status report proposing further proceedings. Additionally, for good cause shown, the Court **GRANTS** the government's unopposed motion to stay proceedings in this case related to Counts III and IV. Within 30 days of the Federal Circuit's decision in any of the following cases, the parties shall file a joint status report proposing further proceedings: *Sanford Health Plan v. United States*, No. 19-1290; *Montana Health Co-Op v. United States*, No. 19-1302; *Community Health Choice, Inc. v. United States*, No. 19-1633; and *Maine Community Health Options v. United States*, No. 19-2102.

IT IS SO ORDERED.

s/ Ryan T. Holte
RYAN T. HOLTE
Judge