

In the United States Court of Federal Claims

No. 17-877C
(Filed: July 10, 2020)

COMMON GROUND HEALTHCARE *
COOPERATIVE, *
*
Plaintiff, *
*
v. *
*
THE UNITED STATES, *
*
Defendant. *

ORDER

On July 8, 2020, plaintiff in the above-captioned case filed a motion for approval of its proposed class action notice plan. Plaintiff represented that “[d]efendant has not taken a position on this motion.” In light of that representation and the fact that the proposed notice, opt-in form, and notice plan were substantively identical to the notice, opt-in form, and notice plan it approved for the 2017/2018 cost-sharing reductions class, the court granted plaintiff’s motion on July 9, 2020.

Later that day, defendant filed a response in which it stated that it had “represented to plaintiff that having only received a draft of the proposed notice and opt-in form at 1 p.m. EDT on the day of filing, it would not be able to provide its position that day and therefore intended to file a response to the motion in due course.” Defendant states that although it recognizes that the notice, opt-in form, and notice plan are essentially identical to those previously approved, it would like to ascertain the position of its client agency and file a response. It therefore requests that the court hold its order in abeyance until it files its response.

For good cause shown, the court **GRANTS** defendant’s request and **VACATES** its July 9, 2020 order. Defendant shall file its response to plaintiff’s motion within the time allowed by the court’s rules—i.e., by **no later than Wednesday, July 22, 2020**.

IT IS SO ORDERED.

s/ Margaret M. Sweeney
MARGARET M. SWEENEY
Chief Judge