

In the United States Court of Federal Claims

No. 17-363C

(E-Filed: July 17, 2020)

RAYMOND G. FARMER, in his)
capacity as Liquidator of Consumers’)
Choice Health Insurance Company,)
and MICHAEL J. FITZGIBBONS, in)
his capacity as Special Deputy)
Liquidator of Consumers’ Choice)
Health Insurance Company,)
)
Plaintiffs,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)

ORDER

On July 16, 2020, the parties filed their joint status report, out of time, in this matter. See ECF No. 14. Upon quality control review, the clerk’s office noted that the filing was out of time, pursuant to the court’s May 29, 2020, which directed the parties to file a joint status report on or before July 13, 2020. See ECF No. 13. Thus, the matter was referred to the undersigned for a ruling.

In their status report, the parties state that they have been “engaged in efforts to prepare a joint stipulation to the entry of judgment in favor of Plaintiffs for the amount due to Consumers’ Choice Health Insurance Company (“Consumers’ Choice”) under section 1342 of the Patient Protection and Affordable Care Act (“ACA”), subject only to setoff in the amount owed by Consumers’ Choice to the United States under the Start-Up Loan discussed in Plaintiffs’ Complaint and not subject to setoff against any amounts owed by Consumers’ Choice to the United States under the Solvency Loan discussed in Plaintiffs’ Complaint or any other ACA program.” Id. at 1-2. In this regard, the parties “anticipate finalizing and submitting the joint stipulation within the next 45 days and

respectfully request this Court continue the stay of this proceeding in anticipation of the filing of the stipulation.” Id. at 2.

Accordingly, the clerk’s office is directed to **FILE** the parties’ joint status report, **ECF No. 14**, by leave of the court as of the date it was submitted, July 16, 2020, and continue the **STAY** in this matter. Absent the filing a joint stipulation, on or before **August 31, 2020, and every forty-five** days thereafter, the parties are directed to **FILE** a **joint status report** indicating the status of settlement proceedings. The status report shall indicate the parties’ positions on the current stay of this matter.

IT IS SO ORDERED.

s/ Patricia E. Campbell-Smith
PATRICIA E. CAMPBELL-SMITH
Judge