

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

**COMMON GROUND HEALTHCARE
COOPERATIVE, on behalf of itself and all others
similarly situated,
*Plaintiff-Appellee***

v.

**UNITED STATES,
*Defendant-Appellant***

2020-1286

Appeal from the United States Court of Federal Claims
in No. 1:17-cv-00877-MMS, Chief Judge Margaret M.
Sweeney.

ON MOTION

Before REYNA, WALLACH, and CHEN, *Circuit Judges*.
REYNA, *Circuit Judge*.

O R D E R

Common Ground Healthcare Cooperative moves unopposed to lift the stay of proceedings and to enter judgment in this appeal consistent with *Community Health Choice*,

Inc. v. United States, Nos. 2019-1633, -2102, 2020 WL 4723757 (Fed. Cir. Aug. 14, 2020).*

Upon consideration thereof,

IT IS ORDERED THAT:

(1) The motion is granted to the extent that the judgment of the United States Court of Federal Claims is affirmed in part, reversed in part, and remanded in part consistent with the court's decision in *Community Health*.

(2) Each side shall bear its own costs.

FOR THE COURT.

September 30, 2020

Date

/s/ Peter R. Marksteiner

Peter R. Marksteiner

Clerk of Court

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* The court acknowledges Common Ground's statement that its motion should not be understood as "necessarily" agreeing "with the opinion in *Community Health*," but rather "simply reflects the overlapping issues" between the appeals, ECF No. 13 at 3, and that "the United States agrees with this proposal for entry of judgment without prejudice to any challenges the parties may bring in the future," *id.* at 4.