

NOTE: This order is nonprecedential.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 PETITION FOR REHEARING EN BANC

Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK,
MOORE, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN,
HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

O R D E R

Appellee Common Ground Healthcare Cooperative filed a petition for rehearing en banc. At the court's invitation and with leave of the court, the United States filed a response to the petition and incorporated a conditional cross-petition for rehearing en banc. The petitions were first referred as petitions for rehearing to the panel that heard the appeal, and thereafter the petitions for rehearing en banc were referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petitions for panel rehearing are denied.

The petitions for rehearing en banc are denied.

The mandate of the court will issue on December 23, 2020.

FOR THE COURT

December 16, 2020
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court