

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

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PIEDMONT COMMUNITY)	
HEALTHCARE, INC., et al.,)	
)	No. 20-1431C
	Plaintiffs,)	
v.)	Judge Ryan Holte
)	
THE UNITED STATES OF AMERICA,)	
)	
	Defendant.)	
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STIPULATION FOR ENTRY OF JUDGMENT

To resolve the risk corridors claims of Plaintiffs Piedmont Community Healthcare, Inc. and Piedmont Community Healthcare HMO, Inc., and to permit the entry of final judgment on those claims, it is stipulated between Plaintiffs and the United States (collectively, the “Parties”):

1. The Patient Protection and Affordable Care Act, Pub. L. No. 111-148 (2010), 124 Stat. 119 *et seq.* (the “ACA”), specifically section 1342 (42 U.S.C. § 18062), created the risk corridors program.

2. On April 27, 2020, the Supreme Court of the United States held that section 1342 “created an obligation neither contingent on nor limited by the availability of appropriations or other funds,” that the obligation was not affected by subsequently-enacted legislation, and that the “petitioners may seek to collect payment through a damages action in the Court of Federal Claims.” *Maine Community Health Options v. United States*, 140 S. Ct. 1308, 1323, 1331 (2020).

3. On October 22, 2020, Plaintiffs filed the Complaint in this Court (ECF No. 1) seeking damages under section 1342 of the ACA. The Complaint asserts four counts, each seeking risk corridors damages under section 1342.

4. The Parties agree that *Maine Community Health Options* entitles Plaintiffs to payment under section 1342 in the amount of \$2,076,316.37 (the “Stipulated Amount”) for benefit years 2014, 2015, and 2016.

5. Accordingly, the Parties jointly request that the Court enter judgment in favor of Plaintiffs in the amount of \$2,076,316.37 on Count I of the Complaint.

6. The Parties further request that the Court dismiss Counts II-IV of the Complaint with prejudice.

7. Upon entry of judgment in the Stipulated Amount, Plaintiffs (HIOS Nos. 37204 & 15668) and any and all of their affiliated entities, release the United States, its agencies, instrumentalities, officers, agents, employees, and servants, from all claims (including attorney fees, costs, and expenses of every kind and however denominated) that they have asserted, could have asserted, or may assert in the future against the United States, its agencies, instrumentalities, officers, agents, employees, and servants, arising under section 1342 of the ACA.

Dated: December 14, 2020

Respectfully Submitted:

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