

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

)	
BLUE CROSS OF CALIFORNIA, et al.,)	
)	
Plaintiffs,)	
)	Case No. 20-606
v.)	(Judge Wolski)
)	
THE UNITED STATES,)	
)	
Defendant.)	
)	

JOINT STATUS REPORT

Pursuant to this Court’s January 11, 2021 order (ECF No. 13), the parties submit this joint status report. The January 11 order continued the stay in this case pending the Federal Circuit’s resolution of pending petitions for rehearing *en banc* filed in a series of cases, like this one, seeking cost-sharing reduction (CSR) payments: *Maine Community Health Options v. United States*, No. 19-2102 (Fed. Cir.); and *Community Health Choice, Inc. v. United States*, No. 19-6333 (Fed. Cir.). The Court directed the parties to file a joint status report within “14 days of any Federal Circuit action on the petitions for re-hearing, or re-hearing *en banc*, regarding the CSR appeals discussed in the October status report.” ECF No. 13.¹

The Federal Circuit denied the petitions in *Maine* and *Community* on November 10, 2020, and a petition for rehearing *en banc* in a related CSR appeal, *Common Ground Health Cooperative v. United States*, No. 20-1286 (Fed. Cir.), on December 16, 2020. Given that the parties to those appeals may file petitions for writs of certiorari, to conserve judicial and party resources, the parties respectfully request that the Court stay this case until either the Federal

¹ Given that the Federal Circuit denied the rehearing petitions before the Court ruled on the parties’ request to continue the stay, the parties understood the Court’s January 11 order to instruct the parties to file a joint status report within 14 days of that order.

Circuit's judgments in those appeals become final and non-appealable, or the Supreme Court resolves any petition for a writ of certiorari, whichever is later. Within 30 days of the expiration of the proposed stay, the parties will submit a joint status report proposing further proceedings.

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