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January 14, 2021

Mr. Peter R. Marksteiner
Clerk, U.S. Court of Appeals for the Federal Circuit
717 Madison Place, NW
Washington, DC 20439

RE: *Blue Cross & Blue Shield of Vermont*, No. 21-1380 (Fed. Cir.)

Dear Mr. Marksteiner:

Plaintiff's letter of January 13, 2021, notes that the time for seeking certiorari has elapsed in *Sanford Health Plan v. United States*, No. 19-1290 (Fed. Cir.). However, as our opposition to plaintiff's motion for summary affirmance explained, the liability issue presented here and in *Sanford* is also presented in *Community Health Choice, Inc. v. United States*, No. 19-1633, and other appeals, and the time for seeking certiorari has not elapsed in those cases. Accordingly, plaintiff's motion for summary affirmance should be denied as premature.

Sincerely,

/s/ Alisa B. Klein

Alisa B. Klein
Counsel for Appellant

CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2021, I electronically filed the foregoing letter with the Clerk of the Court by using the appellate CM/ECF system. Counsel of record are registered CM/ECF users.

/s/ Alisa B. Klein
ALISA B. KLEIN