

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

COMMUNITY HEALTH CHOICE, INC.,	)	
	)	
Plaintiffs,	)	No. 18-05
	)	(Judge Davis)
v.	)	
	)	
THE UNITED STATES,	)	
	)	
Defendant.	)	

JOINT STATUS REPORT AND MOTION TO STAY

Pursuant to this Court’s November 17, 2020 Order (ECF No. 47), the parties submit this joint status report.

This case concerns claims for unpaid cost-sharing reduction payments (CSRs) under Section 1402 of the Affordable Care Act (ACA). On August 14, 2020, the Federal Circuit issued decisions in two consolidated CSR appeals, including this case, which remanded those cases to the Court of Federal Claims. *See Cmty. Health Choice, Inc. v. United States*, 970 F.3d 1364 (2020). The *Community* and *Maine* plaintiffs filed petitions for rehearing *en banc*, which were denied on November 10, 2020. The Federal Circuit also denied 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.

The deadlines to file a petition for a writ of *certiorari* expire on April 9, 2021 in this case and in *Maine*, and on May 17, 2021 in *Common Ground*. Supreme Court resolution of any of those cases will affect the outcome of this one. Plaintiff in this case filed a petition for a writ of *certiorari* this morning.

Accordingly, the parties request that the Court stay this case pending the final disposition for any petitions for writ of *certiorari* in this case, *Maine*, and/or *Common Ground*. The parties

propose that they file a joint status report proposing further proceedings in this case within 30 days of the termination of the stay.

Respectfully submitted,

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