

**IN THE UNITED STATES COURT OF FEDERAL CLAIMS**

|                                 |                      |
|---------------------------------|----------------------|
| BLUE CARE NETWORK OF MICHIGAN : |                      |
| and BLUE CROSS BLUE SHIELD OF : | Case No. 20-cv-1000C |
| MICHIGAN MUTUAL INSURANCE :     |                      |
| COMPANY, :                      | Judge Davis          |
|                                 | :                    |
| Plaintiffs, :                   |                      |
|                                 | :                    |
| v. :                            |                      |
|                                 | :                    |
| UNITED STATES OF AMERICA, :     |                      |
|                                 | :                    |
| Defendant. :                    |                      |

**JOINT STATUS REPORT**

Plaintiffs Blue Care Network of Michigan and Blue Cross Blue Shield of Michigan Mutual Insurance Company and Defendant United States of America respectfully submit this joint status report, as directed by the Court’s May 3, 2021 order. *See* ECF No. 18 at 2.

The Court’s May 3 order stayed proceedings on the two remaining claims in this case, Counts III and IV, pending the outcome of litigation in the Federal Circuit related to cost-sharing reductions (“CSRs”). *Id.* at 1. The Court ordered the parties to provide a joint status report within 30 days of either of the Federal Circuit’s judgments in the CSR appeals becoming final and non-appealable or the Supreme Court resolving any petition for writ of certiorari in those cases. On June 21, 2021, the Supreme Court denied the insurers’ petitions for writ of certiorari (and the government’s conditional cross-petitions) in *Maine Community Health Options v. United States*, Nos. 20-1162, 20-1432, and *Common Ground Healthcare Cooperative v. United States*, Nos. 20-1200, 20-1536.

Following the Supreme Court’s orders, the parties have engaged in discussions concerning a potential resolution of this case and require additional time to continue those discussions. The parties thus jointly propose that, within 60 days, they will either (i) submit another joint status report updating the Court on their progress, or (ii) jointly stipulate to dismiss those claims for which they have reached a mutually satisfactory resolution.

On July 19, 2021, counsel for the United States authorized Plaintiffs’ counsel to relay the United States’ assent to this joint status report.

July 20, 2021

Respectfully submitted,

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#### CERTIFICATE OF SERVICE

I certify that on July 20, 2021, I caused a copy of this document to be filed through the Court's CM/ECF system, which will effect service on all registered counsel.

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