

In the United States Court of Federal Claims

No. 19-1164C

(E-Filed: July 22, 2021)

_____)
EMBLEMHEALTH, INC, HEALTH)
INSURANCE PLAN OF GREATER)
NEW YORK, INC, <u>et al.</u> ,)
)
Plaintiffs,)
)
v.)
)
THE UNITED STATES,)
)
Defendant.)
_____)

ORDER

On July 21, 2021, pursuant to the court’s December 18, 2020 order, the parties filed a joint status report and a motion to continue the stay in this case. See ECF No. 11. Therein, the parties report that “[o]n June 21, 2021, the United States Supreme Court denied the petition for writ of certiorari (No. 20-1162) and [defendant’s] conditional cross-petition (No. 20-1432) in Maine Community Health Options v. United States, which sought review of the Federal Circuit’s [cost-sharing reduction (CSR)] decision in Community Health Choice, Inc. v. United States, Nos. 2019-1633, -2102, 2020 WL 4243757 (Fed. Cir. Aug. 14, 2020).” Id. at 1. The parties further state, that “on that same day, the Court denied Common Ground Healthcare Cooperative’s petition for a writ of certiorari (No. 20-1200), seeking review of the Federal Circuit’s September 30, 2020 decision entering judgment consistent with the Federal Circuit’s Community Health Choice decision” and “denied [defendant’s] conditional cross-petition for certiorari regarding the same (No. 20-1536).” See id. at 1-2.

Finally, the parties state, that they “have begun discussions regarding the next steps in this litigation,” and collectively represent they are engaging in “initial talks regarding potential avenues for resolving the CSR matters . . .without further litigation or to streamline the cases.” Id. at 2. In that regard, the parties request that the stay continue

in this case and propose to file a joint status report by September 20, 2021, updating the court on the parties' progress. See id. The court agrees with the parties' proposal.

Accordingly, for good cause shown:

- (1) The parties' joint motion to continue the stay, ECF No. 11, is **GRANTED**;
- (2) The clerk's office is directed to continue the **STAY** of this case until further order of the court; and
- (3) On or before **September 20, 2021**, and every **thirty days** thereafter, the parties are directed to **FILE** a **joint status report** informing the court of the parties' position on the current stay and the status of the parties' discussions to resolve this matter without further litigation.

IT IS SO ORDERED.

s/Patricia E. Campbell-Smith

PATRICIA E. CAMPBELL-SMITH

Judge