

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

_____)	
BLUE CARE NETWORK OF MICHIGAN,)	
and BLUE CROSS BLUE SHIELD OF)	
MICHIGAN MUTUAL INSURANCE)	
COMPANY,)	
)	
Plaintiffs,)	No. 20-1000
)	
v.)	Filed: March 15, 2022
)	
THE UNITED STATES,)	
)	
Defendant.)	
_____)	

ORDER

On March 14, 2022, the parties filed a Joint Stipulation for Entry of Partial Final Judgment (ECF No. 29). The parties advise the Court that, following the Federal Circuit’s rulings in *Community Health Choice, Inc. v. United States*, 970 F.3d 1364, 1371 (Fed. Cir. 2020), and *Sanford Health Plan v. United States*, 969 F.3d 1370, 1373 (Fed. Cir. 2020), the parties agree that Plaintiffs are entitled to damages for certain unpaid cost-sharing reduction (“CSR”) payments under § 1402 of the Patient Protection and Affordable Care Act. The parties stipulate to partial judgment for Plaintiffs in the amount of \$4,699,036.88 on Count III of the Amended Complaint for unpaid CSR payments through December 31, 2017, with each party to bear its own costs, attorney fees, and expenses. The parties also stipulate to partial dismissal of Count III as it relates to Plaintiffs’ claim for CSR payments through December 31, 2017, with prejudice. The parties further stipulate to dismissal of Count IV of the Amended Complaint, with prejudice.

Having determined pursuant to Rule 54(b) of the Rules of the United States Court of Federal Claims that there is no just reason for delay, the Court directs the Clerk to enter judgment on Count III of the Amended Complaint in favor of Plaintiffs in the amount of \$4,699,036.88 for

CSR payments through December 31, 2017. The Court further **ORDERS** that Count III of the Amended Complaint is dismissed in part with prejudice as it relates to Plaintiffs' claim for CSR payments through December 31, 2017, and Count IV is dismissed in its entirety with prejudice.

SO ORDERED.

Dated: March 15, 2022

/s/ Kathryn C. Davis

KATHRYN C. DAVIS

Judge