

**Corrected**

# In the United States Court of Federal Claims

No. 20-905

Filed: February 24, 2022

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|-------------------------------------|---|
| AETNA HEALTH, INC., <i>et al.</i> , | ) |
|                                     | ) |
| Plaintiffs,                         | ) |
|                                     | ) |
| v.                                  | ) |
|                                     | ) |
| THE UNITED STATES,                  | ) |
|                                     | ) |
| Defendant.                          | ) |

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## ORDER

On February 17, 2022, the parties filed a Joint Stipulation for Entry of Final Judgment. *See generally* Joint Stipulation for Entry of Final Judgment, ECF No. 18 [hereinafter Joint Stipulation]. The parties advise the Court that based on the Federal Circuit’s ruling 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 cost-sharing reduction (“CSR”) payments under Section 1402 of the Patient Protection and Affordable Care Act (“ACA”) for benefit years 2016 and 2017. The parties request that the Court enter judgment in favor of plaintiffs in the amount of \$6,307,749.27 regarding Count I of the Complaint “with each party to bear its own costs, attorney fees, and expenses.” Joint Stipulation at 2. Additionally, the parties further request dismissal of Count II of the Complaint with prejudice. *Id.*

Accordingly, the Clerk of Court is **DIRECTED** to enter final judgment for plaintiffs on Count I in the amount of \$6,307,749.27 for unpaid CSR payments through December 31, 2017. Count II of the Complaint is **DISMISSED** with prejudice.

**IT IS SO ORDERED.**

s/ *Loren A. Smith*

Loren A. Smith,  
Senior Judge