

In the United States Court of Federal Claims

No. 20-606C

(Filed: March 10, 2022)

BLUE CROSS OF CALIFORNIA, et al.,

Plaintiffs,

v.

UNITED STATES,

Defendant.

ORDER

On March 3, 2022, the parties filed a Joint Stipulation to Enter Partial Final Judgment (ECF No. 25), “request[ing] that the Court enter partial final judgment in favor of Plaintiffs in the amount of \$31,997,702.12 on Count I of the Complaint as it relates to [cost-sharing reduction (CSR)] payments the Government owes Plaintiffs [under the Affordable Care Act, 42 U.S.C. § 18071,] through December 31, 2017, with each party to bear its own costs, attorney fees, and expenses.” The joint filing further requested “that the Court partially dismiss Counts I and II of the Complaint as they relate to Plaintiffs’ claim for CSR payments through December 31, 2017 only, with prejudice.” The parties specifically noted that “Plaintiffs’ CSR claims for benefit years 2018 and beyond shall not be dismissed.” The Court commends the parties on their continuing efforts to resolve this case without the need for further litigation.

The following day, on March 4, 2022, in accordance with this Court’s order dated January 3, 2022, the parties filed a Joint Status Report (ECF No. 26), wherein the parties request that the Court continue the stay of proceedings in this case. In support of their request, counsel represent that the parties are actively engaged in discussions to resolve this and other related cases without the need for continued litigation or, at a minimum, to propose streamlined proceedings before the Court with regard to any remaining issues. The parties propose to submit a Joint Status Report within 30 days of this Court’s order on the pending motions, and every 30 days thereafter, advising the Court on the status of their negotiations as well as their proposed continued litigation of this matter.

For good cause shown:

- (1) Pursuant to RCFC 54(b), insofar as there is no just reason for delay, and in accordance with the parties’ joint stipulation (ECF No. 25), the Clerk is directed to:

- a. **ENTER** partial final judgment in plaintiffs' favor in the amount of \$31,997,702.12 on Count I of the complaint as it relates to CSR payments through December 31, 2017, with each party to bear its own costs, attorney fees, and expenses.
 - b. Partially **DISMISS** Counts I and II of the complaint only insofar as they relate to plaintiffs' claim for CSR payments through December 31, 2017, with prejudice.
- (2) The Court continues the **STAY** of proceedings in this matter until further order of the Court; and
- (3) The parties are directed to **FILE** a Joint Status Report on or before **April 11, 2022**, and **every 30 days** thereafter, informing the Court of the status of the parties' discussions to resolve this case without the need for further litigation as well as the parties' position on the continuation of the current stay of proceedings.

It is so **ORDERED**.

s/ Armando O. Bonilla

Armando O. Bonilla
Judge