

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

BLUE CARE NETWORK OF MICHIGAN,
and BLUE CROSS BLUE SHIELD OF
MICHIGAN MUTUAL INSURANCE
COMPANY,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

No. 20-1000

(Judge Davis)

JOINT STATUS REPORT

The parties respectfully submit this joint status report to request that the Court continue the stay in these proceedings for 60 days.

This case is currently stayed because the Government is working with a number of CSR plaintiffs to determine whether they may efficiently resolve this matter without further litigation or at least streamline these cases. *See* Doc. 22 at 1. On March 15, 2022, the Court continued the stay and ordered the parties to file a joint status report or joint stipulation of dismissal on or before May 13, 2022.

The parties request that the Court continue the stay to provide more time for the broader discussions about possible approaches to resolving this and other CSR cases. As the parties reported before, counsel for a large number of plaintiff health plans shared a proposal with the Government on December 3, 2021. On April 28, 2022, the Government provided its substantive response to the CSR plaintiffs' proposed settlement methodology for CSR damages owed for benefit years 2018 and beyond. The CSR plaintiffs and the Government held a conference call on

May 6 to discuss certain aspects of the Government's response and what the next steps should be. The parties intend to meet again soon to discuss more specific actuarial issues. After CSR Plaintiffs have completed reviewing the Government's response, the parties plan to meet and confer regarding the Government's response and the potential mutual resolution of pending CSR claims for benefit years 2018 and beyond. Plaintiffs here have expressed a willingness to consider seriously the method, if any, that the Government is able to agree to with the other CSR plaintiffs for resolving or streamlining the CSR cases. The complexity of the CSR cases and the number of interested stakeholders necessitate that the parties be afforded additional time for these efforts. Good cause therefore exists to continue the stay.

Accordingly, the parties jointly request that the Court continue the stay in this case for 60 days, until July 12, 2022, to file the next joint status report in which the parties will update the Court on the status of their efforts to fully resolve this matter.

Respectfully submitted,

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