

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

LOCAL INITIATIVE HEALTH AUTHORITY)	
FOR LOS ANGELES COUNTY, d/b/a L.A.)	
CARE HEALTH PLAN,)	
)	
Plaintiff,)	
)	
v.)	No. 17-1542C
)	(Judge Meyers)
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

JOINT STATUS REPORT

Pursuant to the Court’s June 23, 2022 Order (ECF No. 70), the parties respectfully submit this joint status report to request that the Court enter partial final judgment as to the Cost Share Reduction (“CSR”) amounts owed to Plaintiff by the Government for the 2017 benefit year.

On March 4, 2022, the Federal Circuit remanded this case to the Court of Federal Claims for the limited purpose of allowing the Government to stipulate to liability and damages for only the 2017 CSR claims and for the Court of Federal Claims to enter partial final judgment on those claims in favor of Plaintiff. *See* ECF No. 67. The Defendant’s appeal of the judgments for Plaintiff’s CSR claims for 2018 and 2019 remain stayed before the Federal Circuit. On April 28, 2022, the parties filed a Joint Stipulation for Entry of Partial Final Judgment wherein they requested that the Court enter partial final judgment in favor of Plaintiff in the amount of \$554,424.78 on Count V of Plaintiff’s Amended Complaint (Dkt. 35) as it relates to CSR payments the United States has agreed it owes Plaintiff through December 31, 2017. *See* ECF No. 66.

Accordingly, and consistent with actions taken by this Court in other cases with claims for 2017 CSR amounts owed (*see, e.g., Blue Cross of California v. USA*, No. 1:20-cv-606, *BridgeSpan*

Health Company v. USA, No. 1:21-cv-2316; *Highmark Inc. v. USA*, No. 1:20-cv-1686), the parties respectfully and jointly request that the Court enter an order directing the Clerk to enter Rule 54(b) partial final judgment on Plaintiff's claim for the \$554,424.78 in CSR amounts owed to Plaintiff by the Government for 2017.

Dated: July 8, 2022

/s/ Lawrence S. Sher

Lawrence S. Sher (D.C. Bar No. 430469)
REED SMITH LLP
1301 K Street NW
Suite 1000-East Tower
Washington, DC 20005
Telephone: 202.414.9200
Facsimile: 202.414.9299
Email: lsher@reedsmith.com

Of Counsel:

Gregory Vose (PA Bar No. 324912)
REED SMITH LLP
Reed Smith Centre
225 Fifth Avenue, Suite 1200
Pittsburgh, PA 15222
Telephone: 412.288.3131
Facsimile: 412.288.3063
Email: gvose@reedsmith.com

Attorneys for Plaintiffs

Respectfully submitted,

BRYAN M. BOYNTON
Principal Deputy Assistant Attorney General

PATRICIA M. McCARTHY.
Director

/s/ Claudia Burke

CLAUDIA BURKE
Assistant Director

/s/ David M. Kerr

DAVID M. KERR
Trial Attorney
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 307-3390
Email: David.M.Kerr@usdoj.gov

OF COUNSEL:

ALBERT S. IAROSI
Trial Attorney
Civil Division
U.S. Department of Justice

Attorneys for Defendant