

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

_____)	
LOCAL INITIATIVE HEALTH)	
AUTHORITY FOR LOS ANGELES)	
COUNTY, dba L.A. Care Health Plan,)	Nos. 20-1393 (L), 20-2254
)	
Plaintiff-Appellee,)	
)	
v.)	
)	
UNITED STATES,)	
)	
Defendant-Appellant.)	
_____)	

JOINT MOTION TO CONTINUE STAY

Pursuant to the Court’s May 19, 2022 order (ECF No. 27), Plaintiff-Appellee Local Initiative Health Authority for Los Angeles County, dba L.A. Care Health Plan, and Defendant-Appellant United States hereby jointly move to continue the stay of this appeal for 45 days from the date of the Court’s order as to the Government’s appeal of Plaintiff’s judgments for CSR claims for benefit years 2018 and 2019.

Aside from the Joint Motion (ECF 24) the parties filed on February 18, 2022 with respect to remand of Plaintiff’s CSR claims judgment for benefit year 2017, the remaining judgments subject to this appeal currently are stayed because the Government is working with a number of CSR Plaintiffs to determine whether they may efficiently resolve the CSR cases pending in the U.S. Court of Federal Claims without further litigation or at least streamline these cases. The parties to a number of

these CSR cases, including this one, have also presented joint stipulations for entry of partial final judgment as to the CSR amounts owed by the Government for 2017. On May 19, 2022, the Court ordered the parties to file a joint status report on or before June 21, 2022.

The parties believe that the current continued stay in this appeal will provide more time for the parties to continue their discussions about resolving the damages amounts owed by the Government in the pending CSR cases, including this one, for benefit years 2018 and beyond without further litigation. 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. On May 20, 2022, counsel for the Government and for a number of CSR Plaintiffs, including this case, participated in a teleconference with actuaries to discuss the proposed settlement methodology and to share relevant data. On May 23, 2022, CSR Plaintiffs responded to the Government's April 28, 2022 letter. The Government is reviewing the CSR Plaintiffs' letter, after which the parties plan to meet to continue to discuss and refine the potential mutual resolution of pending CSR claims for benefit years 2018 and beyond. The complexity of the CSR cases and the number of interested stakeholders necessitate that the parties be afforded additional time to pursue this mutual attempt to resolve the damages issues in this case without further litigation. Good cause therefore exists to continue the stay in this appeal of judgments to Plaintiff for CSRs the Government owes for benefit years 2018 and 2019.

Accordingly, the parties jointly request that the Court continue the stay in this appeal and the parties will file a Joint Status Report within 45 days to update the Court on the status of their efforts to fully resolve this matter.

Dated: June 21, 2022

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CERTIFICATE OF COMPLIANCE

The undersigned hereby certifies that this Joint Motion complies with the word limit of Fed. R. App. P. 27(d)(2)(A) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), it contains 458 words.

s/ Lawrence S. Sher _____

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on June 21, 2022, I caused the foregoing Joint Motion to be filed with the Clerk for the Court for the United States Court of Appeals for the Federal Circuit by using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

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