

IN THE UNITED STATES COURT OF FEDERAL CLAIMS  
No. 16-1384C

(Filed: June 27, 2018)

BLUE CROSS OF IDAHO HEALTH  
SERVICE, INC., )  
Plaintiff, )  
v. )  
UNITED STATES, )  
Defendant. )

## ORDER

Pending before the court is the parties' Joint Status Report and Request to Continue Stay of Proceedings, filed today, June 27, 2018. The parties note the decisions rendered by the U.S. Court of Appeals for the Federal Circuit in *Moda Health Plan, Inc. v. United States*, \_\_ F.3d \_\_, 2018 WL 2976278 (Fed. Cir. June 14, 2018), and *Land of Lincoln Mut. Health Ins. Co. v. United States*, \_\_ F.3d \_\_, 2018 WL 2975999 (Fed. Cir. June 14, 2018). They represent that these decisions govern this case but that a petition for rehearing or rehearing en banc is likely, as is, potentially, a petition for writ of certiorari. They ask that the stay currently in place be maintained while any such further proceedings in *Moda Health* and *Land of Lincoln* take place.

For good cause shown, the parties' request to continue the stay is GRANTED. The parties are requested to file a joint status report within 15 days after the judgments in *Moda Health* and *Land of Lincoln* have become final and non-appealable.

It is so ORDERED.

s/ Charles F. Lettow

## Charles F. Lettow

Judge