

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

DOUG OMMEN, in his capacity as)	
Liquidator of CoOpportunity Health, Inc., and)	
DAN WATKINS, in his capacity as Special)	
Deputy Liquidator of CoOpportunity Health,)	
Inc.,)	
)	
Plaintiffs,)	
)	Case No.: 1:17-cv-957C
v.)	Judge Richard A. Hertling
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

JOINT STATUS REPORT

On April 11, 2019, this Court entered an Order (Doc. 35) cancelling the scheduled hearing on the government's motion to dismiss and staying the case pending disposition by the Supreme Court of the petition for certiorari filed in *Moda Health Plan, Inc. v. United States*, No. 18-1028. This Court's Order directed the parties to file a joint status report within 14 days after the Supreme Court's disposition.

On July 5, 2019, the parties filed a status report advising the Court that, on June 24, 2019, the Supreme Court granted the petition for certiorari in *Moda*, placing the case on the docket for the October 2019 term.¹ The parties requested that the Court continue the stay of this action until July 26, 2019, at which time the parties would submit a joint status report advising the Court of the parties' positions regarding whether the stay should be continued until the Supreme Court rules on the appeal.

¹ The Supreme Court also granted petitions for certiorari in two companion cases, *Land of Lincoln Mutual Insurance Company v. United States* and *Maine Community Health Options v. United States*.

Having conferred further, the parties are in agreement that this case should remain stayed until the Supreme Court issues its decision in *Moda*. The parties propose to file a status report with the Court within 30 days after the Supreme Court issues its opinion.

Dated: July 25, 2019

Respectfully submitted,

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Counsel for the United States of America

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 25, 2019, I electronically filed the foregoing JOINT STATUS REPORT with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to all CM/ECF participants.

/s/ DOUGLAS J. SCHMIDT
Attorney for Plaintiffs