

In the United States Court of Federal Claims

No. 17-877C
(Filed: January 29, 2018)

COMMON GROUND HEALTHCARE *
COOPERATIVE, *
*
Plaintiff, *
*
*
v. *
*
*
THE UNITED STATES, *
*
*
Defendant. *

ORDER

On January 26, 2018, plaintiff in the above-captioned case filed a motion for approval of its proposed class action notice plan. The court **DENIES** plaintiff's motion **WITHOUT PREJUDICE**. Plaintiff shall make the following corrections to its proposed notice:

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- Question 1, second paragraph, first sentence: The phrase "those two benefit years" shall be changed to "the 2016 benefit year."

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- Question 2, second paragraph, ninth line from the top of the page: The phrase "that year" shall be changed to "those years."
- Question 2, third paragraph, second sentence: The sentence should begin "Plaintiff claims," and not "Common Ground claims."
- Question 2, fourth paragraph, second sentence: The reference to a court decision on a motion to dismiss should be deleted; the sentence should read "The Class Action Complaint is available at the following website: www.riskcorridorsclassaction.com."

- Question 3, second bullet point: The named plaintiff should be changed from “Health Republic Insurance Company” to “Common Ground Healthcare Cooperative.”

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- Question 10, first sentence: The date of “Friday, May 12, 2017” should be deleted and temporarily replaced with a placeholder.
- Question 10, third sentence: The phrase “or proceed without counsel” should be deleted because only individuals—not entities—are permitted to proceed without counsel in the United States Court of Federal Claims.¹ See R. Ct. Fed. Cl. 83.1(c)(1).

In addition, plaintiff shall make the following correction to its opt-in form:

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- Paragraph 1, second sentence: The phrase “on or before” should be added before the word “DATE.”

Plaintiff shall file the revised documents for the court’s approval by the existing deadline for submitting its proposed notice plan—**Monday, February 12, 2018**. In addition, the court notes that plaintiff did not indicate whether defendant had any objections to its motion for approval. The court will not grant plaintiff’s renewed motion without knowing defendant’s position (whether it be set forth in plaintiff’s renewed motion or in a separately filed document).

IT IS SO ORDERED.

s/ Margaret M. Sweeney

MARGARET M. SWEENEY
Judge

¹ The court recognizes that this phrase appeared in the notice approved in Health Republic Insurance Co. v. United States, No. 16-259.