

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

NEW MEXICO HEALTH CONNECTIONS,)	
A New Mexico Non-Profit Corporation,)	
)	
Plaintiff,)	No. 16-1199C
)	
v.)	
)	Judge Smith
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	

**JOINT STATUS REPORT AND REQUEST
TO CONTINUE STAY OF PROCEEDINGS**

On May 4, 2017, the Court stayed this case pending the Federal Circuit's decisions in *Land of Lincoln Mutual Health Insurance Company v. United States*, No. 17-1224, and *Moda Health Plan, Inc. v. United States*, No. 17-1994. Dkt. 13. The Court required the parties to submit a status report no later than 14 days following the *Land of Lincoln* and *Moda* decisions. Dkt. 13. On June 14, 2018, the Federal Circuit decided *Land of Lincoln* and *Moda*. No. 17-1224, Dkt. 166-1; No. 17-1994, Dkt. 87-1. The Federal Circuit reversed the judgment in the insurer's favor in *Moda* and affirmed the judgment in favor of the United States in *Land of Lincoln*.

Plaintiff has requested that the United States consent to the continuation of the stay now in effect through the time provided in the appellate court's rules for the filing of a petition for rehearing and/or rehearing en banc, Fed. Cir. R. 35, 40, and through the resolution of any petition for a writ of certiorari. In order to conserve the resources of the parties and this Court, the parties respectfully request that the Court continue the stay in this case until the Federal Circuit has issued its mandates in *Moda* and *Land of Lincoln* and through the time for the disposition of any petition for a writ of certiorari that may be filed before the United States Supreme Court.

The parties propose that they be required to file a status report with this Court within 15 days after the judgments in *Moda* and *Land of Lincoln* have become final and non-appealable.

Dated: June 27, 2018

Respectfully submitted:

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