

**In the United States Court of Federal Claims**

No. 17-357C  
(Filed: May 1, 2017)

\* \* \* \* \*

SANFORD HEALTH PLAN,

*Plaintiff,*

v.

THE UNITED STATES,

*Defendant.*

\* \* \* \* \*

**ORDER**

This is one of 23 similar cases brought by insurers alleging that they are owed payments by the United States as part of a statutorily-created Risk Corridor Program, part of the Affordable Care Act. Plaintiff filed a motion for partial summary judgment on March 22, 2017. On April 20, 2017, defendant filed a motion for a stay pending the outcome of dispositive motions in a related case on the undersigned's docket, *Maine Community Health Options*, No. 16-967. In the alternative, defendant asked for a 60-day extension of time to respond to the motion for summary judgment. Plaintiff opposes both requests.

The gist of defendant's motion is that a limited stay will conserve the resources of the parties and the court because the issues are nearly identical between the two cases—outside of a contract count in this docket not present in the *Maine* case. Plaintiff opposes on the basis that defendant has not shown a pressing need for a stay and because plaintiff is entitled to a timely decision on the merits.

Defendant has shown good cause why a limited stay is appropriate. We thus grant the motion. The issues in this case and *Maine* are not just similar, they are virtually identical. Moreover, the same counsel appear in both

cases. Accordingly, denying a stay would serve to merely consume additional resources for all parties while shedding little additional light. The prejudice to plaintiff is thus *de minimis*. This case is hereby stayed pending the decision in *Maine Community Health Options*, No. 16-967. The court will set a new schedule after a decision in *Maine* has been reached.

s/ Eric G. Bruggink  
ERIC G. BRUGGINK  
Senior Judge