

No. 17-1994

**IN THE UNITED STATES COURT OF APPEALS FOR THE FEDERAL
CIRCUIT**

Moda Health Plan, Inc.,

Plaintiff-Appellee,

v.

United States,

Defendant-Appellant.

JOINT STIPULATION

The parties submit this joint stipulation in response to the Court's June 5, 2020 Order (ECF No. 159) directing the parties to file supplemental briefs stating their positions relating to the appropriate action to be taken by the court on remand following the Supreme Court's decision, *Maine Community Health Options v. United States*, 140 S. Ct. 1308 (2020).

In light of the Supreme Court's decision, the parties respectfully request that the case be remanded to the Court of Federal Claims for further disposition. Counsel for Plaintiff has conferred with counsel for Defendant, who concurs with this request.

June 26, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2020, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Federal Circuit by using the appellate CM/ECF system. Participants are registered CM/ECF users, and service will be accomplished by the appellate CM/ECF system.

s/ Steven J. Rosenbaum
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