

United States Court of Federal Claims

Filed: October 21, 2020

MCLAREN HEALTH PLAN, INC.,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. 1:18-cv-608 C

Senior Judge Robert H. Hodges, Jr.

ORDER

Plaintiff McLaren Health Plan, Inc. has filed a stipulation for entry of judgment to resolve its claims against the United States. Plaintiff's Complaint seeks risk corridor damages under section 1342 of the Patient Protection and Affordable Care Act, Pub. L. No. 111-148 (2010), 124 Stat. 119, and the Health Care Reconciliation Act, Pub. L. No. 111-152 (2010), 124 Stat. 1029 (collectively, the "ACA") for benefit years 2014, 2015, and 2016. The Complaint asserts two counts.

Following the Supreme Court's decision in *Maine Community Health Options v. United States*, 140 S.Ct. 1308 (2020), the parties agree that Plaintiff is entitled to receive payment of damages on Count I in the amount of \$6,751,222.12. The parties further agree that this payment resolves entirely the Complaint for all counts seeking damages under section 1342 of the ACA.

Upon entry of final judgment and receipt of full payment by Plaintiff, Plaintiff and all of its affiliated entities shall thereby release the United States, its agencies, instrumentalities, officers, agents, employees, and servants from all claims (including attorneys' fees, costs, and expenses of every kind and however denominated) that Plaintiff and any of its affiliated entities has asserted, could have asserted, or may assert in the future against the United States, its agencies, instrumentalities, officers, agents, employees, and servants, arising under section 1342 of the ACA.

Accordingly, therefore, the Clerk of Court shall enter JUDGMENT in the amount of \$6,751,222.12. Count II of the Complaint is hereby dismissed with prejudice.

IT IS SO ORDERED.

s/Robert H. Hodges, Jr.

Robert H. Hodges, Jr.
Senior Judge