

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

COMMON GROUND HEALTHCARE
COOPERATIVE,

Plaintiff,
on behalf of itself and all others
similarly situated,

vs.

THE UNITED STATES OF AMERICA,

Defendant.

Case No. 17-877C

Judge Kathryn C. Davis

PLAINTIFF'S MOTION FOR LEAVE TO DISTRIBUTE FUNDS TO FREELANCERS

On June 2, 2021, the Court entered a Rule 54(b) judgment in favor of Freelancers Co-Op of New Jersey, Inc. (“Freelancers”) in the net amount payable of \$11,740,627.05 for risk corridors benefit year 2016. Dkt. 144. Currently pending before the Court is Class Counsel’s motion for approval of its attorneys’ fee request related to Freelancers. Dkt. 145. Class Counsel requested 5% of the judgment as attorneys’ fees. *Id.* at 10. Freelancers indicated that it does not object to the attorneys’ fees sought by Class Counsel, provided that Freelancers is kept in the same position vis-à-vis attorneys’ fees as the Non-Dispute Subclass members in the *Health Republic* and *Common Ground* cases.¹

On July 29, 2021, JND Legal Administration, the claims administrator retained by Class Counsel, received payment for the full net amount owed to Freelancers from the United States Department of Treasury Judgment Fund: \$11,740,627.05. Although Class Counsel’s attorneys’ fee motion is still pending, Plaintiff and Class Counsel do not believe that there is any reason to delay distribution of funds to Freelancers. Specifically, Plaintiff seeks leave for the claims

¹ See Dkts. 107; 116. See also *Health Republic Ins. Co. v. United States*, Case No. 1:16-cv-00259, Dkts. 84; 93.

administrator to distribute 95% of the funds paid pursuant to the judgment, while holding the remaining 5% in escrow pending resolution of the fee petition. Specifically, \$11,153,595.70 should be distributed to Freelancers.

Plaintiff and Class Counsel seek leave of Court to proceed with distributing 95% of the funds now. They believe that is the most efficient and expeditious manner of distributing funds pursuant to the Court's judgment. Class Counsel has conferred with the Government, which indicated that it takes no position on this request.

Dated: August 6, 2021

Respectfully submitted,

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

/s/ Stephen Wedlow

Stephen Wedlow
stephenswedlow@quinnemanuel.com
191 North Wacker Drive
Suite 2700
Chicago, Illinois 60606
Telephone: (312) 705-7400
Facsimile: (312) 705-7401

J.D. Horton
jdhorton@quinnemanuel.com
Adam B. Wolfson
adamwolfson@quinnemanuel.com
865 S. Figueroa Street
Los Angeles, California 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

*Attorneys for Plaintiff Common Ground
Healthcare Cooperative and the Class*

CERTIFICATE OF SERVICE

I certify that on August 6, 2021, a copy of the attached was served via the Court's CM/ECF system on all counsel of record.

s/ Stephen Swedlow
Stephen Swedlow