

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

HEALTH REPUBLIC INSURANCE)	
COMPANY,)	
)	
Plaintiff,)	No. 16-259 C
)	
v.)	Filed: April 7, 2022
)	
THE UNITED STATES,)	
)	
Defendant.)	
)	

ORDER

On March 31, 2022, the parties filed a corrected Stipulation for Entry of Partial Final Judgment under Rule 54(b) of the Rules of the United States Court of Federal Claims (“RCFC”) based on a settlement of the claims of Dispute Subclass members, Compass Cooperative Health Plan, Inc. d/b/a Meritus Mutual Health Partners (“Meritus Mutual”) and Compass Cooperative Health Plan, Inc. d/b/a Meritus Health Partners (“MHP”) (collectively, “Meritus”), and the counterclaims of the United States. ECF No. 151. Meritus accounts for two of the three members of the Dispute Subclass, the other member being Colorado HealthOp.

The Dispute Subclass previously included Freelancers Co-Op of New Jersey, Inc. (“Freelancers”); however, Defendant and Freelancers stipulated to partial final judgment. *See* ECF Nos. 120, 123. In conjunction with their request for a Rule 54(b) judgment, the parties jointly moved to divide the Dispute Subclass into two subclasses under RCFC 23(c)(5). ECF No. 120. The Court granted the motion to divide before approving the stipulation and directing the Clerk of Court to enter partial final judgment in favor of the newly created Freelancers Subclass. ECF No. 123 at 3.

Here, the parties seek a similar partial judgment as to some but not all members of the Dispute Subclass but have not moved to divide the Dispute Subclass as they did with Freelancers. Accordingly, the parties are **ORDERED** to file a Joint Status Report **by April 14, 2022**, stating their position(s) on whether it is necessary to divide the Dispute Subclass in the same manner as done previously in this case before entering a partial final judgment in accordance with their recently filed stipulation.

SO ORDERED.

Dated: April 7, 2022

/s/ Kathryn C. Davis

KATHRYN C. DAVIS
Judge