

**IN THE UNITED STATES COURT
OF FEDERAL CLAIMS**

BLUE CARE NETWORK OF MICHIGAN,
and BLUE CROSS BLUE SHIELD OF
MICHIGAN MUTUAL INSURANCE
COMPANY,

Plaintiffs,

v.

THE UNITED STATES,

Defendant.

No. 20-1000

(Judge Davis)

JOINT STATUS REPORT

Pursuant to the Court's November 14, 2022 Order Staying Case and the Court's July 13, 2023 Order granting the parties' Motion for Extension of Time, the parties respectfully submit this Joint Status Report.

This case is currently stayed because the Government is working with a number of CSR plaintiffs to determine whether they may efficiently resolve this matter without further litigation or at least streamline these cases. Counsel for a number of the parties met in person on June 26, 2023, to discuss these remaining offset and mitigation issues and their impact on any potential settlement of the CSR cases. The parties exchanged additional information and met again on July 27, 2023, which continues to meaningfully move forward their settlement discussions. The parties plan to consider the additional information they have exchanged and meet again on August 4, 2023. The parties will consider the additional information exchanged by August 18th and, with the Court's permission, will update the Court with a joint status report no later than August 25, 2023.

Given the complexity of the interplay between the claims and defenses in the CSR cases, as well as the number of interested stakeholders involved in the ongoing settlement discussions, the parties respectfully believe that it will be productive and efficient to afford the parties limited additional time to pursue this mutual attempt to resolve the damages issues in this case without further litigation. They therefore believe good cause exists to continue the stay in this case for now.

Plaintiffs here have expressed a willingness to consider seriously the method, if any, that the Government is able to agree to with the other CSR plaintiffs for resolving or streamlining the CSR cases. To wait for an agreement on a method that can be applied to most or all plaintiffs furthers judicial efficiency. There are currently 26 CSR cases before 14 judges. An agreement on a settlement method would eliminate the confusion that could result from multiple judges adjudicating the same claims differently. This would, in turn, free the Court's resources to devote to other matters. We acknowledge the time this process has taken, but maintain that the time has been necessary to resolve issues with so many stakeholders and such complex accounting issues.

Accordingly, the parties jointly request that the Court continue the stay in this case, and the parties will file a Joint Status Report on or before August 25, 2023, to update the Court on the status of their efforts to fully resolve this matter.

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

PATRICIA M. McCARTHY
Director

/s Howard J. Stanislawski
Howard J. Stanislawski
SIDLEY AUSTIN LLP
1501 K Street NW
Washington, DC 20005
(202) 736-8000
hstanislawski@sidley.com

Of Counsel:

Thomas D. Cunningham
SIDLEY AUSTIN LLP
One South Dearborn Street
Chicago, IL 60603
tcunningham@sidley.com

Attorneys for Plaintiffs

/s Claudia Burke
CLAUDIA BURKE
Assistant Director

/s David M. Kerr
DAVID M. KERR
Trial Attorney
Commercial Litigation Branch
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, DC 20044
Telephone: (202) 307-3390
Email: David.M.Kerr@usdoj.gov

OF COUNSEL:

ALBERT S. IAROSI
Senior Trial Counsel
Civil Division
U.S. Department of Justice

Attorneys for Defendant

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