

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

HARVARD PILGRIM HEALTH CARE, INC.,)	
HPHC INSURANCE COMPANY, INC., AND)	
HARVARD PILGRIM HEALTH CARE OF)	
NEW ENGLAND, INC.,)	Case No. 20-578
)	Senior Judge Loren Smith
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES,)	
)	
Defendant.)	

JOINT STATUS REPORT

Pursuant to the Court’s July 24, 2023 Order, the parties respectfully submit this Joint Status Report to request that the Court continue the stay in these proceedings. This case is currently stayed because the Government is working with a number of cost-sharing reduction (“CSR”) Plaintiffs to determine whether they may efficiently resolve this and other pending CSR matters without further litigation or at least streamline these cases.

Counsel for 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.

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.

August 1, 2023

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Respectfully submitted,

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