

No. 21-2325

IN THE UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT

SAINT ANTHONY HOSPITAL,
Plaintiff-Appellant,

v.

ELIZABETH M. WHITEHORN,
Defendant-Appellee.

On Appeal from the United States District Court for the
Northern District of Illinois, Case No. 1:20-cv-02561
The Honorable **Steven C. Seeger**, Judge Presiding.

**MCO APPELLEES' UNOPPOSED JOINT MOTION FOR
EXTENSION OF TIME TO FILE ANY
PETITION FOR REHEARING OR REHEARING EN BANC**

Intervenors-Appellees Meridian Health Plan of Illinois, Inc.,
IlliniCare Health Plan, Health Care Service Corporation (a Mutual Legal
Reserve Company operating in Illinois as Blue Cross and Blue Shield of
Illinois), and Cook County Health & Hospitals System d/b/a Cook County
Health (collectively, "the MCOs") respectfully seek a three-week

extension of time in which to file any petition for rehearing or rehearing en banc, from May 9, 2024 to and including May 30, 2024.

1. Following the Supreme Court's order vacating this Court's prior decision and remanding this case for further consideration in the light of *Health and Hospital Corporation of Marion Cty. v. Talevski*, 599 U.S. 166 (2023), the Court issued on April 25, 2024 its opinion reversing the district court's judgment. Any rehearing petition is therefore due on May 9, 2024.

2. The MCO appellees intend to coordinate the filing of any petition for rehearing or rehearing en banc with counsel for the other appellee, Elizabeth M. Whitehorn, Director of the Illinois Department of Healthcare and Family Services (the "State"), to avoid, as much as possible, any duplication.

3. On May 2, 2024, the Court granted the State a three-week extension of time to May 30, 2024 to file any petition. The MCOs accordingly seek the same extension of time to file any petition they might elect to file.

4. Counsel for Saint Anthony and the State have stated that they do not object to this extension request.

5. The MCOs have not made any previous request to extend the time to file any rehearing petition in this matter.

6. This motion is made in the interest of justice and not for purposes of delay.

Dated: May 3, 2024

Respectfully submitted,

Meridian Health Plan of Illinois,
Inc.

IlliniCare Health Plan

By: /s/ Steven T. Whitmer
One of its Attorneys

By: /s/ Kirstin B. Ives
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Blue Cross and Blue Shield of
Illinois, a division of
Health Care Service
Corporation, a Mutual Legal
Reserve Company

Cook County Health & Hospitals
System d/b/a Cook County Health

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CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limitations of Fed.
R. App. P. 27(d) because this document contains 277 words, excluding
the parts of the document exempted by Fed. R. App. P. 32(f).

/s/ Steven T. Whitmer

CERTIFICATE OF FILING AND SERVICE

I certify that on the 3rd day of May, 2024, I served a copy of the foregoing on all counsel of record through the CM/ECF system.

/s/ Steven T. Whitmer