

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

HEALTH ALLIANCE)	
MEDICAL PLANS, INC.,)	
)	
Plaintiff,)	Case No. 18-334
)	
v.)	Senior Judge Loren A. Smith
)	
THE UNITED STATES,)	
)	
Defendant.)	
)	

JOINT STATUS REPORT

Pursuant to the Court’s July 18, 2023 Order (ECF No. 52), the parties respectfully submit this joint status report. The July 18 Order continued the stay in these proceedings and directed the parties to file a joint status report on August 1, 2023 and every 45 days thereafter.

As stated in the parties’ previous Joint Status Report, counsel for the parties have reached a tentative agreement in principle on a methodology by which the parties believe some of these CSR cases can be settled, including this case. This settlement methodology has been preliminarily reviewed by officials at both the Department of Health and Human Services and the Department of Justice, but the actual settlement of each CSR case applying that methodology must be approved and accepted by Defendant and each participating CSR plaintiff before settlement can be finally authorized.

A process to gather and verify certain relevant data is nearly complete. Once the agreed-upon relevant data is gathered and reconciled, CMS will calculate the damages that may be owed to a given CSR plaintiff insurer for a given year pursuant to the agreed-upon methodology. Then each plaintiff will have the option of participating in the proposed settlement process or

continuing instead with litigation. If plaintiff decides to participate in the settlement process, the United States must obtain approval from the authorized representative of the Attorney General. The settlement agreement and release that will be submitted to the authorized representative of the Attorney General must also be approved by CMS. This approval is pending, and the Government expects to complete this step within the next two weeks.

For the reasons stated above, we respectfully request that the Court continue the stay, and, pursuant to the Court's July 18, 2023 Order, the parties will file a Joint Status Report on or before July 23, 2024, to update the Court on the status of their efforts to fully resolve this matter.

June 13, 2024

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Respectfully submitted,

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