

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.

Pursuant to the Court's July 18, 2023 Order, the parties respectfully submit this Joint Status Report. 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 it can

be finally authorized. A process to gather and verify certain relevant data is underway to determine and calculate the damages that may be owed to a given CSR plaintiff insurer for a given year pursuant to the agreed-upon methodology. Once the agreed-upon relevant data is gathered and reconciled, each plaintiff will have the option of participating in the proposed settlement process or continuing instead with litigation, subject to the approval process described above. The parties have also completed a draft form settlement agreement and release to be used by the parties as a template for each case that the parties have agreed to settle assuming authorization to settle.

The timeline defendant proposed for the data gathering and reconciliation with plaintiffs is underway, and the United States must now obtain approval from the authorized representative of the Attorney General. Therefore, the settlement agreement and approval process for these CSR cases will take additional time to complete. We thus respectfully request that the Court continue the stay in this case for 60 days, until Monday, September 23, 2024, at which time the parties propose to update the Court regarding the current status of the settlement process, along with an expected settlement timeline, in this CSR case and others.

July 23, 2024

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