IN THE UNITED STATES COURT OF FEDERAL CLAIMS

COMMON GROUND HEALTHCARE COOPERATIVE, Plaintiff, v. THE UNITED STATES, Defendant.	No. 17-877 Filed: June 9, 2026

ORDER

Pending before the Court is Class Counsel's Unopposed Motion for Approval of SelectHealth Idaho and Aspirus Settlements with Defendant, which it filed on June 5, 2026. *See* ECF No. 319. Class Counsel requests that the Court (1) finally approve the proposed Settlement Agreements (ECF Nos. 319-1 and 319-2); (2) certify the SelectHealth Idaho CSR and Aspirus CSR Settlement Classes; (3) pursuant to the Settlements, enter judgment for SelectHealth Idaho in the amount of $16,948,797.72 and for Aspirus in the amount of $6,054,107.32; and (4) order the claims administrator to distribute, once received, 95 percent of the funds from the Settlements, with the remaining 5 percent held until the Court determines Class Counsel's request for a 5-percent attorney's fee award. *See id.* at 16. The motion is unopposed and no person or entity objects in whole or in part to the Settlement Agreements.

For the same reasons explained in its November 6, 2025 Order (ECF No. 294), finally approving the settlement of the 2017 CSR and 2018–2019 CSR classes, the Court is satisfied that the Settlement Agreements at issue are fair, reasonable, and adequate under Rule 23(e) and the fairness factors this Court has historically considered. The Court bases this conclusion on its review of Class Counsel's brief with exhibits and the history of this case. The Court agrees with

Class Counsel that it is appropriate, and in the interest of judicial efficiency, to finally approve the Settlements without following the notice and hearing procedures under Rule 23(e) because each affected subclass member has already confirmed they received notice of the respective Settlement Agreements at the time they were signed and neither subclass member objects to their respective Settlement. *See* ECF No. 319 at 6–7. Additionally, as noted above, the Court finally approved the broader CSR settlement after a fairness hearing. *See* ECF No. 294. Because the broader CSR settlement uses the same methodology as the Settlements between the affected subclass members and Defendant, *see* ECF No. 319 at 5–6, the Court is satisfied that it can finally approve these Settlements.

Accordingly, the Court **GRANTS** the Motion for Approval of Settlements (ECF No. 319) and hereby certifies the Settlement Classes, consisting of SelectHealth Idaho and Aspirus. The Court directs the Department of Justice to submit the necessary paperwork to the Judgment Fund to facilitate payment of the Settlement funds to the claims administrator. Once the Settlement funds are received, the claims administrator is directed to distribute 95 percent of the funds pro rata, with SelectHealth Idaho and Aspirus receiving 95 percent of the amounts owed to them.

In its Motion, Class Counsel represents that it intends to file a Motion for Attorney's Fees. *See* ECF No. 319 at 5. Both SelectHealth Idaho and Aspirus have indicated that they do not object to a five-percent fee request. *See* ECF No. 319-3 at 2; *see also* ECF No. 319-4 at 2. The Court **ORDERS** Class Counsel to file its fee request by no later than July 7, 2026.

SO ORDERED.

Dated: June 9, 2026

/s/ Kathryn C. Davis
KATHRYN C. DAVIS
Judge