

In the United States Court of Federal Claims

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STEPHANIE MERCIER, et al.,)	
)	
Plaintiffs,)	
)	
v.)	No. 12-920C
)	(Filed: February 23, 2022)
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

ORDER

On October 29, 2021, the Court granted final approval of the parties’ settlement agreement. ECF No. 263. A week later, on November 5, 2021, the Court granted Plaintiffs’ motion to make numerical updates to the settlement agreement based on the Court’s final approval order. ECF No. 266.

According to representations made by counsel for the government during today’s status conference, in mid-December the Department of Justice submitted the necessary application package to the Department of the Treasury to disburse from the Judgment Fund the moneys due Plaintiffs under the settlement agreement. Counsel further stated that the package has since been twice returned to the Department of Justice for clarification or further action, most recently on February 8, 2022. He further explained that the package returned to the Department of Justice on February 8, 2022, was resubmitted to the Department of the Treasury today.

During the status conference, Plaintiffs’ counsel stressed the age of this case and class members’ frustration with the government’s apparent delay in paying the settlement amount. They urged the Court to order the government to pay the settlement amount in full no later than April 15, 2022. The government did not pose an objection to this request.

The Court agrees that Plaintiffs’ request is a reasonable one. Accordingly, it directs as follows:

1. Every two weeks, beginning on March 9, 2022 (and ending when full payment has been made), the United States shall file status reports to apprise the Court and Plaintiffs regarding the specific steps that have been and remain to be taken in order to complete payment to Plaintiffs of the amounts due under the settlement agreement. The reports shall be supported by a Declaration signed by either Linda Chero, Assistant Commissioner, Bureau of the Fiscal Service, United States Department of the Treasury, or her delegatee.

2. That all moneys due shall be disbursed from the Judgment Fund no later than April 15, 2022.

IT IS SO ORDERED.

s/ Elaine D. Kaplan
ELAINE D. KAPLAN
Chief Judge