

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)**

BLUE FLAME MEDICAL LLC,

Plaintiff,

v.

CHAIN BRIDGE BANK, N.A., JOHN J.
BROUGH, and DAVID M. EVINGER,

Defendants.

Civil Action No. 1:20-cv-00658

CHAIN BRIDGE BANK, N.A.,

Third-Party Plaintiff,

v.

JPMORGAN CHASE BANK, N.A.,

Third-Party Defendant.

**JOINT STATUS REPORT REGARDING THIRD-PARTY PLAINTIFF CHAIN
BRIDGE BANK, N.A.'S MOTION TO ESTABLISH THE AMOUNT OF
INDEMNIFIED FEES AND EXPENSES TO BE AWARDED FROM
THIRD-PARTY DEFENDANT JPMORGAN CHASE BANK, N.A.**

Third-Party Plaintiff Chain Bridge Bank, N.A. (Chain Bridge) and Third-Party Defendant JPMorgan Chase Bank, N.A. (JPMC) respectfully submit this joint status report in response to this Court's order of January 21, 2022 (Dkt. No. 218) and to provide the Court with the following updates regarding Chain Bridge's *Motion to Establish the Amount of Indemnified Fees and Expenses to be Awarded from Third-Party Defendant JPMorgan Chase Bank, N.A.* (Dkt. No. 194) (the Motion).

1. Chain Bridge filed its Motion on October 28, 2021, seeking a determination by this Court of the amount of indemnified fees and expenses (incurred through September 30, 2021) to be awarded pursuant to the Court's September 23, 2021 Order (Dkt. No. 176) granting summary judgment in Chain Bridge's favor on its third-party claim for indemnification from JPMC. On November 3, 2021, Chain Bridge filed a notice of hearing date requesting that a hearing on the Motion be set for January 7, 2022. *See* Dkt. No. 198. The Court thereafter set the hearing on the Motion for that date.

2. As the parties advised the Court via joint motion filed on January 4, 2022 (Dkt. No. 215), after the filing of Chain Bridge's Motion, Chain Bridge and JPMC continued to negotiate in an effort to resolve the issues presented for decision by Chain Bridge's Motion. Chain Bridge and JPMC reached an agreement in principle to resolve those issues, and accordingly requested that the Court vacate the hearing scheduled for January 7, 2022, and hold Chain Bridge's Motion in abeyance as the parties worked to document their agreement in principle. On January 5, 2022, this Court entered an order granting that relief and directing the parties to file a joint status report by January 21, 2022. *See* Dkt. No. 216.

3. On January 21, 2022, the parties filed their first joint status report. In that report, they explained that, although they had made substantial progress in documenting their agreement in principle, they had not yet finalized an agreement. Accordingly, the parties asked the Court to continue to hold Chain Bridge's Motion in abeyance and to direct the parties to file a further status report by January 28, 2022. On January 21, 2022, this Court entered an order granting that relief and directing the parties to file this further joint status report.

4. Since the entry of this Court's January 21 order, the parties have finalized and executed their agreement to resolve the issues presented for decision by Chain Bridge's Motion.

Assuming compliance by the parties with the terms of their agreement, the parties anticipate that Chain Bridge's Motion will be withdrawn pursuant to their negotiated agreement by February 15, 2022. Accordingly, the parties continue to believe that a decision by this Court is unlikely to be necessary.

* * * * *

For the foregoing reasons, the parties respectfully request that the Court (i) continue to hold Chain Bridge's Motion in abeyance; and (ii) direct the parties to provide a further status report by February 15, 2022, in the unlikely event that Chain Bridge's Motion is not withdrawn by that date pursuant to the parties' agreement. For the Court's convenience, a proposed order is attached hereto as Exhibit A.

Dated: January 28, 2022

Respectfully submitted,

/s/ Donald Burke

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CERTIFICATE OF SERVICE

I hereby certify that on January 28, 2022, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing to the following:

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