

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Chief Judge Marcia S. Krieger

Civil Action No. 11-cv-01691-MSK-MJW

UNITED STATES OF AMERICA,
STATE OF CALIFORNIA,
STATE OF DELAWARE,
STATE OF FLORIDA
STATE OF ILLINOIS,
STATE OF INDIANA,
STATE OF NEVADA,
STATE OF NEW MEXICO,
STATE OF NEW YORK,
STATE OF TENNESSEE,
COMMONWEALTH OF MASSACHUSETTS
COMMONWEALTH OF VIRGINIA, and
THE DISTRICT OF COLUMBIA,
ex rel. JOHN HENDRIX,

Plaintiffs,

v.

J-M MANUFACTURING COMPANY, INC., and
FORMOSA PLASTICS CORPORATION, USA,

Defendants.

FINAL JUDGMENT

In accordance with orders filed during the pendency of this case, and pursuant to Fed. R. Civ. P 58(a), the following Final Judgment is hereby entered.

Pursuant to the Opinion and Order filed on February 4, 2013, Affirming the Recommendation issued by the Magistrate Judge (**Doc. #66**) to Grant the Plaintiff's Motion to Quash (Doc. #1, 7), it is

ORDERED that:

The Recommendation of Magistrate Judge Watanabe (**Doc. #66**) is **AFFIRMED**. Final Judgment is entered in favor of Plaintiffs as follows:

1. That Plaintiffs' Motion for Reconsideration and Vacatur of the November 30, 2011 Order (docket no. 45) is **GRANTED**;
2. That the Order dated November 30, 2011 (Docket no. 43) regarding: (1) Plaintiffs' [The State of Nevada and *Qui Tam* Plaintiff, John Hendrix ("Relator")] Motion to Quash the Subpoena Issued by Defendant, J-M Manufacturing Company, Inc., to Non-Party, Microbac Laboratories, Inc. (Docket No. 1) and (2) Plaintiffs' [The State of Nevada and *Qui Tam* Plaintiff, John Hendrix "Relator")] Motion to Quash the July 1, 2011 Subpoena Issued by Defendant J-M Manufacturing Company Inc., to Non-Party Microbac Laboratories, Inc. (Docket No. 7) is **VACATED** and both Motions (docket no. 1 and 7) are **GRANTED**;
3. That the actual test report dated November 2, 2009, from Microbac bates stamped numbers TP00006961 through TP00006963, inclusive, shall be subject to any Protective Order entered in the United States District Court for the Central District of California Case [ED CV06-00055-GW] pending before the Honorable George H. Wu;
4. That the subject documents described as bates stamped numbers 001 through 008, inclusive, described as Exemplar In Camera documents and the actual test report dated November 2, 2009, from Microbac bates stamped numbers TP00006961 through TP00006963, inclusive, which were submitted to this court for, *in camera*, review shall be **SEALED** and not opened except by further Order of Court; and

5. That each party shall pay their own attorney fees and costs for
this motion.

The case is closed.

Dated this 13th day February, 2013.

ENTERED FOR THE COURT:
JEFFREY P. COLWELL, CLERK

s/Edward Butler
Edward Butler
Deputy Clerk