

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

**MAY 20 2009**

JAMES W. McCORMACK, CLERK  
By: *D. Jackson* DEP. CLERK

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**UNITED STATES OF AMERICA  
EX REL. ARKANSAS HOSPICE, INC.**

**PLAINTIFF**

**v. CIVIL NO. 4:04CV00419 JMM**

**HOSPICE HOME CARE, INC.;**  
**HOSPICE HOME CARE OF PINE BLUFF, PLLC;**  
**CECELIA TROPOLI;**  
**THERESA TRAVIS, M.D.;**  
**LISA THOMPSON;**  
**BARROW ROAD CARE AND REHABILITATION CENTER, LLC**  
**D/B/A PARKVIEW REHABILITATION AND HEALTHCARE CENTER;**  
**PRESBYTERIAN VILLAGE, INC.;**  
**PRESBYTERIAN VILLAGE FOUNDATION, INC.**

**DEFENDANTS**

**ORDER**

The United States having intervened in part of this action and having declined to intervene in part of this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the Court rules as follows:

IT IS ORDERED that,

1. the Relator's Complaint, the Government's Notice of Election to Intervene in Part and to Decline to Intervene in Part, and this Order be unsealed;
2. the United States serve its Complaint upon defendant, together with this Order, within 180 days;
3. the Relator serve its Complaint upon Defendants within 120 days;
4. all other papers or Orders on file in this matter shall remain under seal;
5. the seal be lifted on all other matters occurring in this action after the date of this Order;

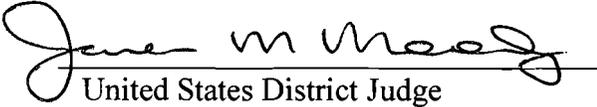
6. as to the part of the action in which the United States has declined to intervene, the parties shall serve all pleadings and motions filed in that part of the action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in that part of the action, for good cause, at any time;

7. all orders of this Court shall be sent to the United States; and that

8. should the Relator or the Defendants propose that the part of the action in which the United States has declined to intervene be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED,

This 20 day of May, 2009.

  
United States District Judge