

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

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UNITED STATES OF AMERICA))	
ex rel. NORMAN RILLE and NEAL))	
ROBERTS))	
))	
Plaintiff))	
))	
v.))	Civil Action 4:04CV00988-WRW
))	
CISCO SYSTEMS INC.))	
a California Corporation))	
))	
Defendant))	
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ORDER

Pursuant to Fed. R. Civ. P. 41 and the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States and the defendant, Cisco Systems, Inc. (hereinafter “the defendant” or “Cisco”) have stipulated to the dismissal of the above-captioned action.

The defendant and the United States have reached an agreement to settle this litigation. The United States and the defendant agree that each will bear its own costs, expenses, and attorney fees. The relators, Norman Rille and Neal Roberts, and the defendant have not yet reached agreement as to payment of attorney fees and costs, if any, pursuant to 31 U.S.C. § 3730(d). The United States and the relators have not yet reached agreement as to a relators’ entitlement, if any, to a share of the Settlement Amount being paid by Cisco pursuant to the Settlement Agreement. Accordingly, in light of the Settlement Agreement, the Court rules as follows:

IT IS ORDERED that the case is dismissed with prejudice as to the relators and with prejudice as to the United States to the extent of the “Covered Conduct” in the Settlement Agreement between the United States and Cisco and otherwise without prejudice as to the United States. The Court retains jurisdiction over this matter to enforce the terms of the Settlement Agreement. The Court also retains jurisdiction of this matter for purposes of determining appropriate attorney fees and costs, if any, to be paid to the relators by defendant pursuant to 31 U.S.C. § 3730(d), and for purposes of determining relators’ entitlement, if any, to a share of the Settlement Amount being paid by Cisco pursuant to the Settlement Agreement. The United States and defendant each will bear its own costs, expenses, and attorney fees.

IT IS SO ORDERED this 30th day September, 2010.

/s/Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE