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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA *ex rel.*
JOHN DOE and ABC, LLC,

Plaintiffs,

v.

INSYS THERAPEUTICS, INC.; ALEC
BURLAKOFF; and MICHAEL L.
BABICH,

Defendants.

No. 2:14-cv-3488-JLS-AJWx
FINAL JUDGMENT

1 On May 6, 2014, relators John Doe and ABC LLC filed this action pursuant to the
2 False Claims Act, 31 U.S.C. §§ 3729-3733, against defendants Insys Therapeutics, Inc.
3 (“Insys”), Michael Babich, and Alec Burlakoff (Doc. 1). On or about April 13, 2018, the
4 United States intervened in part and declined to intervene in part in this action (Doc. 53).


5 On June 5, 2019, the United States of America and Insys reached a settlement as
6 to the United States’ claims against Insys. On June 11, 2020, the Court filed an Order
7 dismissing all claims brought by or on behalf of the United States against Insys (a) with
8 prejudice to the United States with respect to the Covered Conduct as that term is
9 defined in the Settlement Agreement between the United States and Insys, (b) without
10 prejudice to the United States with respect to all other claims, and (c) with prejudice to
11 the relator (Doc. 63).

12 On September 28, 2021, the Court filed a minute order dismissing this action for
13 failure to prosecute (Doc. 67).

14 Upon stipulation of the parties, by their respective counsel, and good cause
15 appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

- 16 1. All claims brought by or on behalf of the United States against Insys are
17 dismissed (a) with prejudice to the United States with respect to the
18 Covered Conduct as that term is defined in the Settlement Agreement
19 between the United States and Insys, (b) without prejudice to the United
20 States with respect to all other claims, and (c) with prejudice to the relator.
- 21 2. All remaining federal claims against all other defendants in this action are
22 dismissed without prejudice to the United States and the relator.
- 23 3. This action is dismissed in its entirety.

24
25 DATED: March 31, 2022

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28 HON. JOSEPHINE L. STATON
UNITED STATES DISTRICT JUDGE