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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES and the STATE OF  
CALIFORNIA ex rel. NICOLLE  
O’NEILL,

Plaintiffs/Relator,

v.

SOMNIA, INC. et al.,

Defendants.

No. 1:15-cv-00433-ADA-EPG

ORDER TO SUBMIT WRITTEN NOTICE OF  
CONSENT OR OBJECTION TO  
STIPULATION OF DISMISSAL

(ECF No. 232)

The Court is in receipt of the parties’ stipulation to dismiss the case in its entirety, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) against Defendants Somnia, Inc., Primary Anesthesia Services, Dr. Byron Mendenhall, and Dr. Quinn Gee (“Somnia Defendants”). (ECF No. 232.) Therein, the parties state that both the United States Department of Justice and the State of California Department of Justice consent to the dismissal of the Somnia Defendants with prejudice. (*Id.* at 2-3.) However, neither the United States Department of Justice nor the State of California Department of Justice signed the parties’ stipulation. (*Id.*) The Court previously advised that if the parties sought dismissal, settlement, or other continuance of this action, both the United States and the State of California would be given notice and an

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1 opportunity to be heard, pursuant to 31 U.S.C. § 3730(b)(1) and California Government Code §  
2 12652(c)(1). (ECF No. 18 at 2.)

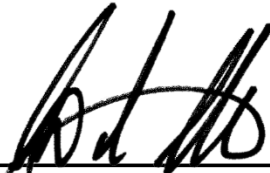
3 Accordingly, the United States and the State of California are ORDERED to submit  
4 written notice to the Court within seven (7) days from the date of this order of whether they  
5 consent or object to the parties' stipulation for dismissal of the Somnia Defendants with  
6 prejudice.

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9 IT IS SO ORDERED.

10 Dated: May 1, 2023

  
UNITED STATES DISTRICT JUDGE

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