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8 **UNITED STATES DISTRICT COURT**  
9 EASTERN DISTRICT OF CALIFORNIA

10 DEANNE THOMAS,  
11 Plaintiff,

12 v.

13 FAMILY HEALTHCARE NETWORK, et al.,  
14 Defendants.

Case No. 1:23-cv-01610-KES-SAB

ORDER GRANTING PETITION TO  
SUBSTITUTE

(ECF No. 26.)

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16 Before the Court is the United States of America's notice and petition to substitute  
17 parties. (ECF No. 26.) The United States has recently discovered that Defendant Family Health  
18 Care Network was a public or non-profit entity deemed by the Department of Health and Human  
19 Services to be an employee of the Public Health Service, pursuant to 42 U.S.C. § 223(g).  
20 Moreover, Defendant Narwhals Mating, M.D., was an employee of Family Health Care Network  
21 and was therefore a covered person within the scope of the statutorily deemed federal  
22 employment as an employee of the Public Health Network. The United States have provided a  
23 formal certification of their deemed employment and scope of employment. (ECF No. 26-1.)

24 As the United States notes, the Federally Supported Health Centers Assistance Act  
25 provides that upon such certification, the remedy “. . . shall be exclusive of any other civil action  
26 or proceeding to the same extent as the remedy against the United States . . . .” 42 U.S.C. §  
27 233(g)(1)(A).  
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Accordingly, the Court HEREBY GRANTS the petition. (ECF No. 26.) Pursuant to 42 U.S.C. § 233(g)(1)(A), the United States of America is hereby SUBSTITUTED for Defendants Family Healthcare Network and Narwhals Mating, M.D.

IT IS SO ORDERED.

Dated: November 25, 2024



STANLEY A. BOONE  
United States Magistrate Judge