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9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11  
12 UNITED STATES OF AMERICA and  
STATE OF CALIFORNIA, *ex rel.* DAVID  
13 T. READ,

14 Plaintiffs,

15 v.

16 MOUNTAIN VALLEYS HEALTH  
CENTERS, INC.,

17 Defendant.  
18

CIV-S-04-0190 FCD GGH

STATE OF CALIFORNIA'S  
STIPULATION AND ORDER OF  
DISMISSAL

19 **STIPULATION**

20 WHEREAS, the State of California, defendant, and relator have entered into a settlement  
21 agreement which resolves the claims brought on behalf of the State of California (a copy of the  
22 fully executed settlement agreement is attached hereto as Exhibit 1);

23 WHEREAS, the claims brought on behalf of the United States were also resolved by the  
24 aforementioned settlement agreement;

25 WHEREAS, the United States will be filing a separate pleading addressing the dismissal of  
26 the claims brought on behalf of the United States;

27 WHEREAS, the issue of what documents within the Court's file should be unsealed or  
28 should remain under seal has already been addressed by the Court's Order signed on 12/22/08

1 and filed on 12/22/08;

2 WHEREAS, no answer or other responsive pleading has been filed in this action by the  
3 defendants;

4 IT IS HEREBY STIPULATED AND AGREED by the State of California and relator David  
5 T. Read, through their respective counsel of record:

6 1. Pursuant to Fed. R. Civ. P., Rule 41(a)(1):

7 a. the claims brought on behalf of the State of California shall be dismissed with  
8 prejudice as to the relator; and

9 b. as to the State of California, the claims brought on behalf of the State of California  
10 shall be dismissed with prejudice as to the "Covered Conduct" as defined in Exhibit 1, and  
11 without prejudice as to all other claims brought on behalf of the State of California.

12 2. This Court shall retain jurisdiction to enforce the terms of the aforementioned settlement  
13 agreement.

14  
15 EDMUND G. BROWN JR.  
16 Attorney General of the State of California

17 Dated: 1/23/09

18 /s/ Brian V. Frankel  
19 By: BRIAN V. FRANKEL  
20 Supervising Deputy Attorney General  
21 Attorneys for the State of California

22  
23 Dated: 1/23/09

24 /s/ Gail Killefer  
25 By: GAIL KILLEFER, ESQ.  
26 Attorney for Relator DAVID T. READ  
27 [original signature retained by counsel]  
28

**ORDER**

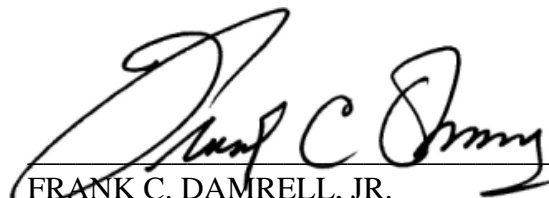
Pursuant to stipulation and for good cause shown, IT IS HEREBY ORDERED THAT:

1. The claims brought on behalf of the State of California are dismissed with prejudice as to the relator.

2. As to the State of California, the claims brought on behalf of the State of California are dismissed with prejudice as to the "Covered Conduct" as defined in Exhibit 1, and without prejudice as to all other claims brought on behalf of the State of California.

3. This Court shall retain jurisdiction to enforce the terms of the aforementioned settlement agreement.

Dated: February 3, 2009

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE