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SEALED

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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA and the STATES OF
ARKANSAS, CALIFORNIA, DELAWARE, DISTRICT
OF COLUMBIA, FLORIDA, GEORGIA, HAWAII,
ILLINOIS, INDIANA, LOUISIANA,
MASSACHUSETTS, MICHIGAN, MONTANA,
NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW
MEXICO, NEW YORK, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS, VIRGINIA, and
WISCONSIN ex rel. FRANK SOLIS,

Plaintiffs,

vs.

MILLENNIUM PHARMACEUTICALS, INC.,
SCHERING-PLOUGH CORP.,

Defendants.

2:09 - CV - 3010 MCE JFM

ORDER RE GOVERNMENT'S
ELECTION TO DECLINE
INTERVENTION

[FILED UNDER SEAL]

The United States having declined to intervene in this action pursuant to the False Claims Act,

1 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

2 IT IS ORDERED that,

3 1. The complaint be unsealed and served upon the defendant by the relator;

4 2. All other contents of the Court's file in this action remain under seal and not be made public
5 or served upon the defendant, except for this Order and The Government's Notice of Election to Decline
6 Intervention, which the relator will serve upon the defendant only after service of the complaint;

7 3. The seal be lifted as to all other matters occurring in this action after the date of this Order;

8 4. The parties shall serve all pleadings and motions filed in this action, including supporting
9 memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may
10 order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;


11 5. The parties shall serve all notices of appeal upon the United States;

12 6. All orders of this Court shall be sent to the United States; and that

13 7. Should the relator or the defendant propose that this action be dismissed, settled, or otherwise
14 discontinued, the Court will provide the United States with notice and an opportunity to be heard before
15 ruling or granting its approval.

16 IT IS SO ORDERED.

17 Dated: December 20, 2012

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19 MORRISON C. ENGLAND, JR., CHIEF JUDGE
20 UNITED STATES DISTRICT COURT
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