

1 CLARE M. SYLVIA (State Bar No. 138990)
cms@pcsf.com

2 PHILLIPS & COHEN LLP
100 The Embarcadero, Suite 300
3 San Francisco, California 94105
Tel: (415) 836-9000
4 Fax: (415) 836-9001

5 PETER CHATFIELD
peter@phillipsandcohen.com
6 PHILLIPS & COHEN LLP
2000 Massachusetts Avenue
7 Washington, DC 20036
Tel: (202) 833-4567
8 Fax: (202) 833-1815

9 L. TIMOTHY TERRY, admitted *pro hac vice*
tim@theterrylawfirm.com
10 THE TERRY LAW FIRM LTD.
P.O. Box 2348
11 Carson City, NV 89702
Tel: (775) 883-2348
12 Fax: (775) 883-2347

13 Attorneys for *Qui Tam* Plaintiff/Relator Max Bennett

14 UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA; THE STATES
16 OF CALIFORNIA, COLORADO,
CONNECTICUT, DELAWARE, FLORIDA,
17 GEORGIA, HAWAII, ILLINOIS, INDIANA,
LOUISIANA, MICHIGAN, MASSACHUSETTS,
18 MONTANA, NEVADA, NEW HAMPSHIRE,
NEW JERSEY, NEW MEXICO, NEW YORK,
19 NORTH CAROLINA, OKLAHOMA, RHODE
ISLAND, TENNESSEE, TEXAS, VIRGINIA,
20 WISCONSIN, THE DISTRICT OF COLUMBIA,
AND DOE STATES 1-23, *ex rel.* MAX
21 BENNETT,

2:10-CV-01273-KJM-EFB

ORDER

22 Plaintiffs,

23 vs.

24 BIOTRONIK, INC., WESTERN MEDICAL,
INC., CAESAR FONTE, AND PETER ELIA,
ROBERT N. BERKELEY, LEON FELDMAN,
25 W. JUDSON FISHER, ARJUN V. GURURAJ,
MONTY C. MORALES, WILLIAM H. RESH,
26 ROBERT C. WESLEY, AND NEVADA HEART
AND VASCULAR CENTER, LLP,

27 Defendants.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

UPON CONSIDERATION of *qui tam* Plaintiff-Relator Max Bennett’s “Notice of Voluntary Dismissal” and the files and records in this case, it is hereby ORDERED that:

The Complaint and Amended Complaints in this action are dismissed without prejudice.

DATED: May 29, 2014.


UNITED STATES DISTRICT JUDGE