

1 BENJAMIN B. WAGNER
United States Attorney
2 CATHERINE J. SWANN
Assistant United States Attorney
3 501 I Street, 10th Floor
Sacramento, California 95814
4 Telephone: (916) 554-2762
Facsimile: (916) 554-2900

5 JOYCE R. BRANDA
Acting Assistant Attorney General
6 MICHAEL D. GRANSTON
7 SARA MCLEAN
GREGORY PEARSON
8 Department of Justice
Civil Division
9 Commercial Litigation Branch
P. O. Box 261
10 Benjamin Franklin Station
Washington, D.C. 20044
11 Telephone: (202) 307-6699
Facsimile: (202) 514 0280

12 Attorneys for the United States of America
13

14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA
16

17 UNITED STATES AND STATE OF
CALIFORNIA, *ex rel.*, BRENT STANLEY,
18 and PATRICK McKILLOP

19 Plaintiffs,

20 vs.

21 IRON MOUNTAIN, INC., and IRON
MOUNTAIN INFORMATION
22 MANAGEMENT, INC.,

23 Defendants.

Case No. 2:11-cv-3260 GEB DAD

**[PROPOSED] ORDER OF
DISMISSAL RE CLAIMS OF THE
UNITED STATES**

24 Pursuant to Federal Rule of Civil Procedure 41(a) and the False Claims Act, 31 U.S.C. §
25 3730(b)(1), the United States of America, Relators Brent Stanley and Patrick McKillop, and
26 defendants Iron Mountain Incorporated and Iron Mountain Information Management LLC¹

27 _____
28 ¹ Iron Mountain Information Management LLC is the successor to Iron Mountain Information
Management, Inc.

1 (collectively, the "Parties") have filed a Joint Stipulation of Dismissal in accordance with the
2 terms of a settlement agreement ("Agreement") entered into among the Parties effective as of
3 December 17, 2014.

4 Upon consideration of the Joint Stipulation, it is hereby ORDERED that, subject to the terms
5 and conditions of the Agreement:

6 1. All claims asserted in this action on behalf of the United States are dismissed with
7 prejudice as to Relators.

8 2. All claims in this action for Covered Conduct as defined in the Agreement among the
9 Parties are dismissed with prejudice as to the United States. All other claims asserted in this action
10 on behalf of the United States are dismissed without prejudice as to the United States.

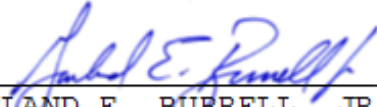
11 3. The United States and Defendants shall each bear their own costs, fees and expenses
12 with respect to the claims asserted in this action on behalf of the United States.

13 4. The rights of relators and/or their counsel to seek recovery of reasonable expenses,
14 fees and costs, including attorney's fees and costs related to the Civil Action, are governed by the
15 False Claims Act, 31 U.S.C. §§ 3729 et seq., and the California False Claims Act, Cal. Gov't Code,
16 §§ 12650, et seq. The Parties stipulate to the Court retaining jurisdiction over this matter to resolve
17 any dispute that may arise relating to such rights.

18 5. This Order does not dismiss any claims of the relators, their counsel, the State of
19 California, or any of its political subdivisions under the California False Claims Act, Cal. Gov't
20 Code, §§ 12650, et seq.

21
22 IT IS SO ORDERED.

23 Dated: December 31, 2014

24
25 
26 GARLAND E. BURRELL, JR.
27 Senior United States District Judge
28