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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA, AND
THE STATE OF CALIFORNIA, *ex rel.*,
12 NANCY A. SMITH and WENDY JOHNSON,

13 Plaintiffs,

14 v.

15 NEIL ALAN VAN DYCK, DPM, et al.,

16 Defendants.
17

CASE NO. 2:12-CV-1783 GEB-KJN

[PROPOSED] ORDER

18 The United States and the State of California having declined to intervene in this action pursuant
19 respectively to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the California False Claims Act,
20 CAL. GOV'T CODE § 12652(c)(6)(B), the Court rules as follows:

21 IT IS ORDERED that,

22 1. the complaint, first amended complaint, seal extension orders, and orders partially lifting the
23 seal be unsealed and served, along with this Order and the Joint Notice of Election to Decline
24 Intervention, upon the defendants by the relators;

25 2. all other contents of the Court's file in this action remain under seal and not be made public or
26 served upon the defendant;

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


4. the parties shall serve all notices of appeal upon the United States;

5. all orders of this Court shall be sent to the United States; and that

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

IT IS SO ORDERED.

Dated: February 22, 2016


GARLAND E. BURRELL, JR.
Senior United States District Judge