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 8 **UNITED STATES DISTRICT COURT**
 9 **EASTERN DISTRICT OF CALIFORNIA**

10 UNITED STATES, ex rel. RICHARD RICKS and
 11 MARCELO CUELLAR,

CASE NO. 2:13-CV-539 KJM AC

12 Plaintiffs,

**ORDER ON THE UNITED STATES' AND
 RELATORS' JOINT STIPULATION OF
 VOLUNTARY DISMISSAL OF COUNTS I
 THROUGH III OF THIS ACTION**

13 v.

14 MENLO WORLDWIDE GOVERNMENT
 15 SERVICES, LLC; MENLO LOGISTICS, INC.;
 CON-WAY INC.; XPO LOGISTICS, INC.; ESTES
 16 FORWARDING WORLDWIDE LLC; ESTES
 EXPRESS LINES; and DOES 1 through 25,

17 Defendants.

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 19 Upon consideration of the United States' and Relators' Joint Stipulation of Voluntary Dismissal
 20 of Counts I through III of this Action, pursuant to the terms of the Settlement Agreement between the
 21 parties and the Relator Share Agreement between the United States and Relators, and for good cause
 22 shown,

23 IT IS HEREBY ORDERED that Counts I through III of this action are hereby dismissed with
 24 prejudice as to Relators, and with prejudice as to the United States for the Covered Conduct as set forth
 25 in their Settlement Agreement with Defendants Menlo Worldwide Government Services, LLC; Menlo
 26 Logistics, Inc.; Con-Way Inc.; XPO Logistics, Inc.; Estes Forwarding Worldwide LLC; and Estes
 27 Express Lines;

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1 IT IS FURTHER ORDERED that Relator Cuellar's Counts IV and V, and both Relators' claims
2 for their reasonable expenses, attorneys' fees and costs against Defendants under 31 U.S.C. §
3 3730(d)(1), shall remain pending and this Court shall retain jurisdiction over those claims until such
4 time as those issues are fully and finally resolved.

5 IT IS SO ORDERED.

6 Dated: May 5, 2016

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UNITED STATES DISTRICT JUDGE