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10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**

12 UNITED STATES, ex rel. Michele Monchatre,

CASE NO. 2:13-cv-1623 GEB-EFB

13 Plaintiffs,

STIPULATION OF DISMISSAL; ORDER

14 v.
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16 KINDRED HEALTHCARE OPERATING INC.,
a corporation, and DOES 1-100,

17 Defendants.
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21 **RECITALS**

22 1. On July 7, 2014, the United States filed notice of its election to decline intervention in
23 this action pursuant to 31 U.S.C. § 3730(b)(4)(B).

24 2. By Order filed July 11, 2014, the Court ordered that the Complaint, the Notice of
25 Election to Decline Intervention, and all pleadings filed subsequent to July 11, 2014, be unsealed.

26 3. Relator MICHELE MONCHATRE now desires to dismiss the action without prejudice.

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1 4. Pursuant to 31 U.S.C. § 3730(b)(1), in the interests of the United States, the United States
2 hereby consents to the dismissal of the action without prejudice.

3 **STIPULATION**

4 IT IS HEREBY STIPULATED by and between the parties hereto through their respective
5 attorneys of record that the above-captioned action be and hereby is dismissed without prejudice as to all
6 Defendants.

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8 Dated: July 14, 2014

Respectfully submitted,

BENJAMIN B. WAGNER

United States Attorney

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10 By: /s/ Glen F. Dorgan
11 Glen F. Dorgan
Assistant U.S. Attorney

12 Dated: July 14, 2014

THYBERG LAW

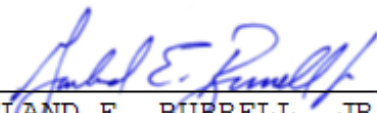
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14 By: /s/ Gregory A. Thyberg
15 Gregory A. Thyberg
Attorney for Relator

16 **ORDER**

17 IT IS HEREBY ORDERED that:

- 18 1. This entire action and all claims herein are hereby DISMISSED without prejudice;
19 2. All pending matters and dates arising out of this action are hereby VACATED;
20 3. The Clerk is hereby directed to close this action.

21 Dated: July 15, 2014

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