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7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES OF AMERICA and the  
 STATE of CALIFORNIA, ex rel. GLENN  
 12 DABEK,  
 Plaintiffs,  
 13  
 vs.  
 14 WALGREEN CO.,  
 15 Defendant.

Case No. 2:13-cv-2397 WBS-DAD

**ORDER ON THE UNITED STATES’  
 NOTICE OF ELECTION TO  
 DECLINE INTERVENTION**

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 18 The United States having declined to intervene in this action pursuant to the False Claims  
 19 Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

20  
 21 IT IS ORDERED that,

- 22 1. The complaint be unsealed and served upon the defendant by the relator;  
 23 2. All other contents of the Court's file in this action remain under seal and not be made  
 24 public or served upon the defendant, except for this Order and the United States’ Notice of  
 25 Election to Decline Intervention, which the relator will serve upon the defendant only after  
 26 service of the complaint;  
 27 3. The seal be lifted as to all other matters occurring in this action after the date of this  
 28 Order;

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

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

6 6. All orders of this Court shall be sent to the United States; and that

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

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11 IT IS SO ORDERED.

12 Dated: March 25, 2015

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14 WILLIAM B. SHUBB  
15 UNITED STATES DISTRICT JUDGE  
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1 **CERTIFICATE OF SERVICE BY MAIL**

2 The undersigned hereby certifies that she is an employee in the Office of the United States  
3 Attorney for the Eastern District of California and is a person of such age and discretion to be  
4 competent to serve papers.

5 That on March 25, 2015, she served a copy of:

6 **THE UNITED STATES' NOTICE OF ELECTION TO DECLINE INTERVENTION**  
7 **and [PROPOSED] ORDER ON THE UNITED STATES' NOTICE OF ELECTION TO**  
8 **DECLINE INTERVENTION**

9 by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the  
10 place(s) and address(es) stated below, which is/are the last known address(es), and by depositing  
11 said envelope and its contents in the United States Mail at Sacramento, California.

12 **Addressee(s):**

13 Peter G. Thyberg  
14 THYBERGLAW  
15 8789 Auburn Folsom Rd, Suite C337  
16 Granite Bay, California 95746

17 Bernice Yew  
18 California Department of Justice  
19 Criminal Law Division  
20 Bureau of Medi-Cal Fraud and Elder Abuse  
21 1425 River Park Drive, Suite 300  
22 Sacramento, California 95815

23 /s/ Dominique Williams  
24 DOMINIQUE WILLIAMS  
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26  
27  
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