

1 BENJAMIN B. WAGNER
 United States Attorney
 2 EDWARD A. BAKER
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2700
 Facsimile: (916) 554-2900

5 Attorneys for Plaintiff
 6 United States of America

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

10
 11 UNITED STATES OF AMERICA, STATE OF
 CALIFORNIA, *ex rel.*, ROGER LEMAUX,

12 Plaintiffs,

13 -vs-

14 MAGNUM EQUIPMENT, INC.; N & S TRACTOR
 15 CO., DEL MAR FARMS; W FARMS; LEE DELDON;
 JOHN MARING; and ROBERT WILLIAMS,

16 Defendants.
 17

CASE NO. 2:14-cv-2570 GEB CKD

ORDER ON UNITED STATES' NOTICE OF
 ELECTION TO DECLINE INTERVENTION

18
 19 The United States and State of California having declined to intervene in this action pursuant,
 20 respectively, to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the California False Claims Act,
 21 California Government Code § 12652(c)(6)(B), the Court rules as follows:

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

1 4. The parties shall serve all pleadings and motions filed in this action, including supporting
2 memoranda, upon the United States and the California Attorney General's Office ("CAGO"), as
3 provided for, respectively, in 31 U.S.C. § 3730(c)(3) and Cal. Gov't Code § 12652(f)(1). The United
4 States and the State of California may order any deposition transcripts and are entitled to intervene in
5 this action, for good cause, at any time;

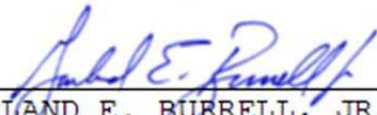
6 5. The parties shall serve all notices of appeal, and any supporting documents and memoranda,
7 upon the United States and the State of California;

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

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

12 IT IS SO ORDERED.

13 Dated: October 5, 2015

14
15
16 
17 _____
18 GARIAND E. BURRELL, JR.
19 Senior United States District Judge
20
21
22
23
24
25
26
27
28