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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ex rel.  
EDWARD KOONS, et al.,

Plaintiffs,

v.

UNION PACIFIC RAILROAD  
COMPANY, et al.,

Defendants.

No. 2: 15-cv-01291-KJM-EFB

ORDER

The United States recently declined to intervene in this qui tam action. *See* ECF No. 24 (filed Oct. 20, 2017). The United States nonetheless requests that all but three filings remain under seal. *See* ECF No. 24. In response, the court imposed a “temporary seal,” but ordered the United States to show cause within fourteen days why the seal should remain intact. Order, Oct. 30, 2017, ECF No. 26, at 2 (unsealing only ECF Nos. 1, 24). Fourteen days have now lapsed with no response.

Although a qui tam action must be filed under seal while the United States decides whether to intervene, *see* 31 U.S.C. § 3730(b)(2), once the United States makes a decision the seal will be lifted, *see id.* § 3730(b)(3); *U.S. ex rel. Lee v. Horizon W., Inc.*, No. 00-2921, 2006 WL 305966, at \*2 (N.D. Cal. Feb. 8, 2006). Considering the United States has now declined to

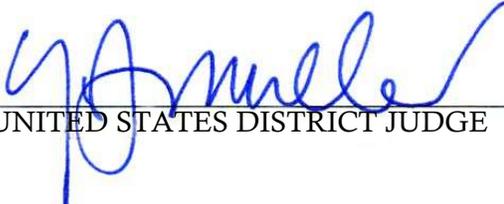
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intervene and has provided no authority or valid basis for maintaining the seal, and given the general nature of the sealed documents, the court hereby UNSEALS all filings in this case.

IT IS SO ORDERED.

This order resolves ECF No. 26.

DATED: November 22, 2017.

  
UNITED STATES DISTRICT JUDGE