| 1 | MCGREGOR W. SCOTT | | |
|----|--|-----------------------------------|--|
| 2 | United States Attorney CATHERINE J. SWANN | | |
| | Assistant United States Attorney | | |
| 3 | 501 I Street, 10th Floor Sacramento, California 95814 | | |
| 4 | Telephone: (916) 554-2762 Facsimile: (916) 554-2900 | | |
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| 7 | IN THE UNITED STATES DISTRICT COURT | | |
| 8 | EASTERN DISTRIC | CT OF CALIFORNIA | |
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| 10 | UNITED STATES OF AMERICA, and STATES OF ARKANSAS, CALIFORNIA, | CASE NO: 2:15-CV-2307 KJM EFB | |
| 11 | COLORADO, DELAWARE, FLORIDA, GEORGIA, HAWAII, ILLINOIS, INDIANA, | | |
| 12 | IOWA, LOUISIANA, MARYLAND, MASSACHUSETTS, MICHIGAN, | ORDER ON STIPULATION OF DISMISSAL | |
| 13 | MASSACHUSELTS, MICHIOAN, MINNESOTA, MONTANA, NEVADA, NEW JERSEY, NEW MEXICO, NEW YORK, | | |
| 14 | NORTH CAROLINA, OKLAHOMA, | | |
| 15 | TENNESSEE, TEXAS, VIRGINIA, WASHINGTON and WISCONSIN <i>ex rel.</i> LOYD F. SCHMUCKLEY, JR., | | |
| 16 | Plaintiffs, | | |
| 17 | V. | | |
| 18 | KMART CORPORATION, | | |
| 19 | Defendants. | | |
| 20 | | | |
| 21 | | | |
| 22 | Upon consideration of the Joint Stipulation of Dismissal filed by the United States, California | | |
| 23 | and Relator, Loyd F. Schmuckley, Jr., (Relator), it is hereby ORDERED that: | | |
| 24 | 1) All claims asserted in this action are dismissed with prejudice as to Relator; | | |
| 25 | 2) All claims asserted in this action for the Covered Conduct as that term is defined in the | | |
| 26 | Settlement Agreement between the United States, California, Relator, and defendant | | |
| 27 | Kmart Corporation, are dismissed with prejudice as to the United States and California. | | |
| 28 | /// | | |
| | ORDER ON STIPULATION OF DISMISSAL | 1 | |
| | | Dockets.Just | |

| 1 | 3) All other claims asserted in this action are dismissed without prejudice as to the United | |
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| 2 | States and California. | |
| 3 | IT IS SO ORDERED. | |
| 4 | DATE: March 13, 2018. | |
| 5 | Amile | |
| 6 | UNITED STATES DISTRICT JUDGE | |
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| 28 | ORDER ON STIPULATION OF DISMISSAL 2 | |

| 1 | CERTIFICATE OF SERVICE BY ELECTRONIC 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 8, 2018, she served a copy of: | |
| 6 | [PROPOSED] ORDER ON STIPULATION OF DISMISSAL | |
| 7 | by sending via electronic mail to the following individual(s) at the noted email address(es). | |
| 8 | Addressee(s): | |
| 9 | | |
| 10 | Wm. Paul Lawrence II WATERS & KRAUS | |
| 11 | plawrence@waterskraus.com 37163 Mountville Road | |
| 12 | Middleburg, VA 20117 | |
| 13 | Emmanuel Salazar Emmanuel.Salazar@doj.ca.gov | |
| 14 | Bureau of Medi-Cal Fraud and Elder Abuse 2329 Gateway Oaks Drive, Suite 200 | |
| 15 | Sacramento, CA 95833-4252 | |
| 16 | | |
| 17 | /s/Kimberly Siegfried | |
| 18 | KIMBERLY SIEGFRIED Legal Assistant | |
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