

MINUTE ORDER

CASE NUMBER: 2:16-CV-01683 LEK (USDC, Eastern District of California)

CASE NAME: Robert Weist, et al. vs. City of Davis

JUDGE: Leslie E. Kobayashi

DATE: 11/13/2020

COURT ACTION: EO: COURT ORDER REGARDING RELATOR'S CONSENTED TO MOTION TO DISMISS WITHOUT PREJUDICE PURSUANT TO 31 U.S.C. § 3720(b)(1) AND PURSUANT TO RULE 41(a)(1)(A)(i)

On November 12, 2020, Relator Jane Doe ("Relator") filed her Consented to Motion to Dismiss Without Prejudice Pursuant to 31 U.S.C. § 3720(b)(1) and Pursuant to Rule 41(a)(1)(A)(i) ("Motion"). [Dkt. no. 56.] Also on November 12, 2020, the United States of America ("United States") filed its Consent to Dismissal. [Dkt. no. 55.] This Court concludes that the United States' filing satisfies the requirements of 31 U.S.C. § 3730(b)(1), which states that an action asserting violations of 31 U.S.C. § 3729 "may be dismissed only if the court and the [United States] Attorney General give written consent to the dismissal and their reasons for consenting."

However, the consent of the State of California ("California") to the dismissal is also required. See Cal. Gov't Code § 12652(c)(1) ("Once filed, the action may be dismissed only with the written consent of the court and the Attorney General or prosecuting authority of a political subdivision, or both, as appropriate under the allegations of the civil action, taking into account the best interests of the parties involved and the public purposes behind this act."). Relator states that California consents to the dismissal of the action without prejudice, [Motion at 1,] but California has not filed a document that constitutes a written consent.

The parties are INFORMED that the Motion will be denied unless written consent by California is provided. California's written consent to the dismissal of this case without prejudice must be filed by **December 11, 2020**. If the written consent is not filed by **December 11, 2020**, Relator's Motion will be denied.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager