The United States' Notice of Election to

Decline Intervention

McGREGOR W. SCOTT United States Attorney CATHERINE J. SWANN Assistant United States Attorney 501 I Street, 10th Floor 3 Sacramento, California 95814 Telephone: (916) 554-2762 4 Fax: (916) 554-2900 5 Attorneys for the United States of America 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 2: 19-CV-559 JAM KJN UNITED STATES OF AMERICA, and the states of CALIFORNIA, COLORADO, 12 DISTRICT OF COLUMBIA, GEORGIA, HAWAII, MARYLAND, VIRGINIA, ORDER ON THE UNITED STATES' 13 WASHINGTON, ex rel. JEFFREY MAZIK, NOTICE OF ELECTION TO DECLINE 14 Plaintiffs, INTERVENTION 15 VS. 16 KAISER PERMANENTE, INC., KAISER 17 FOUNDATION HEALTH PLAN, INC., 18 Defendants. 19 20 21 The United States having declined to intervene in this action pursuant to the False Claims 22 Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows: 23 1. The complaint be unsealed and served upon the defendant by the relator; 24 2. All other contents of the Court's file in this action remain under seal and not be made 25 public or served upon the defendant, except for this Order and The Government's Notice of Election 26 to Decline Intervention, which the relator will serve upon the defendant only after service of the 27 complaint; 28

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1	3. The seal be lifted as to all other matters occurring in this action after the date of this
2	Order;
3	4. The parties shall serve all pleadings and motions filed in this action, including supporting
4	memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States
5	may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any
6	time;
7	5. The parties shall serve all notices of appeal upon the United States;
8	6. All orders of this Court shall be sent to the United States; and that
9	7. Should the relator or the defendant propose that this action be dismissed, settled, or
10	otherwise discontinued, the Court will provide the United States with notice and an opportunity to be
11	heard before ruling or granting its approval.
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13	IT IS SO ORDERED.
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15	DATE: July 10, 2020
16	/s/ John A. Mendez HONORABLE JOHN A. MENDEZ
17	United States District Court Judge
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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 July 10, 2020, she served a copy of: 6 [PROPOSED] ORDER ON THE UNITED STATES' NOTICE OF ELECTION TO DECLINE INTERVENTION 7 8 by sending copies via electronic mail to the electronic address(es) stated below, which is/are the last 9 known electronic address(es). 10 Addressee(s): 11 Sarah Chu 12 SChu@jqllaw.com Joseph, Greenwald & Laake, P.A. 13 6404 Ivy Lane, Suite 400 Greenbelt, Maryland 20770 14 Veronica Nannis 15 VNannis@JGLLAW.COM 16 Joseph, Greenwald & Laake, P.A. 6404 Ivy Lane, Suite 400 17 Greenbelt, Maryland 20770 18 Dave Scher 19 dave@hoyerlawgroup.com JAMES HOYER P.A. 20 1300 I Street, NW, Suite 400E Washington, D.C. 20005 21 Kevin C. Davis 22 Kevin.Davis@doj.ca.gov 23 California Attorney General/BMFEA 2329 Gateway Oaks Drive, Suite 200 24 Sacramento, CA 95833-4252 25 26 /s/ Monica C. Lee 27 MONICA C. LEE

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