

1 PHILLIP A. TALBERT  
 United States Attorney  
 2 COLLEEN M. KENNEDY  
 Assistant United States Attorney  
 3 501 I Street, Suite 10-100  
 Sacramento, CA 95814  
 4 Telephone: (916) 554-2700  
 Facsimile: (916) 554-2900  
 5

6 Attorneys for the United States

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

11 UNITED STATES and STATE OF  
 CALIFORNIA *ex rel.* DAVE HEGARTY and  
 12 TRACY FOGELSON,

13 Plaintiffs,

14 v.

15 QUALITY BUILT, LLC, a Delaware Limited  
 Liability Company; DUCTTESTERS, INC., a  
 16 California corporation; GALLANT CAPITAL  
 PARTNERS, LLC, a Delaware Limited  
 17 Liability Company; JOHN GILLETT, an  
 individual; ANTHONY GUAGLIANO, an  
 18 individual,

19 Defendants.

CASE NO. 2:22-CV-826 JAM KJN

ORDER RE: THE NOTICE OF ELECTION TO  
DECLINE INTERVENTION BY THE UNITED  
STATES AND THE STATE OF CALIFORNIA

21 The United States and the State of California (“California”) having declined to intervene in this  
 22 action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the California False Claims Act,  
 23 Cal. Gov’t Code § 12652(c)(6)(B), the Court rules as follows:

24 IT IS HEREBY ORDERED that,

25 1. The relators’ complaint, the Summons, the Notice of Election to Decline Intervention, and this  
 26 Order be unsealed and served upon the defendants by the relators;

27 2. All other contents of the Court’s file in this action shall remain under seal and not be made  
 28 public or served upon the defendants;

1           3. The seal shall 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 (including supporting memoranda), orders  
4 and notices of appeal filed in this action upon the United States and California, as provided for in 31  
5 U.S.C. § 3730(c)(3) and Cal. Gov't Code § 12652(f)(1). The United States and California may order any  
6 deposition transcripts and are entitled to intervene in this action, upon a proper showing, at any time;  
7 and

8           5. Should the relators or the defendants propose that this action be dismissed, settled, or  
9 otherwise discontinued, the Court will provide the United States and California with notice and an  
10 opportunity to be heard before ruling or granting its approval, in accordance with 31 U.S.C. § 3730(b)(1)  
11 and Cal. Gov't Code § 12652(c)(1).

12           IT IS SO ORDERED.

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15 DATED: September 19, 2022

/s/ John A. Mendez

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THE HONORABLE JOHN A. MENDEZ  
SENIOR UNITED STATES DISTRICT JUDGE