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United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, et al.,  
Plaintiffs,  
v.  
CRESCENDO BIOSCIENCE, INC., et al.,  
Defendants.

Case No. 16-cv-02043-TSH  
**DISCOVERY ORDER**  
Re: Dkt. No. 89

Fact discovery in this matter closed on March 15, 2021. However, late in fact discovery Relator disclosed an undercover FBI investigation launched in 2015 that produced information used by Relator to support its allegations. Dr. Felice Gersh testified that she acted as a confidential informant and that she had communications and dealings with FBI Agent Jon Habben and California State Agent Vladislav Mikulich. Defendants are now seeking documents and deposition testimony from the federal and state governments concerning the federal and state investigations.

The Court finds that Relator improperly delayed providing this information to the Defendants in discovery. Accordingly, the Court orders that Defendants may pursue this discovery directed toward the federal government and the State of California, notwithstanding that fact discovery is otherwise closed.

**IT IS SO ORDERED.**

Dated: March 22, 2021

  
THOMAS S. HIXSON  
United States Magistrate Judge