

unsealed 8/6/09 JAH

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**FILED**  
AUG 06 2009  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY *JAH* DEPUTY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, *ex rel.*  
SEAN McCURDY,  
  
Plaintiffs,  
  
v.  
  
GENERAL DYNAMICS NATIONAL STEEL  
AND SHIPBUILDING (NASSCO), et al.  
  
Defendants.

Case No. 07cv0982-BTM (POR)

*JAH*  
~~PROPOSED~~ ORDER

**FILED UNDER SEAL**

The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

IT IS ORDERED that:

1. The Complaint be unsealed and served upon the defendants by the relator;
  2. All other contents of the Court's file in this action remain under seal and shall not be made public or served upon the defendants, except for this Order and the Government's Notice of Election to Decline Intervention, which the relator will serve upon the defendants only after service of the Complaint;
  3. The seal be lifted as to all other matters occurring in this action after the date of this Order;
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DOCKETING  
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07cv0982

*OR*

1           4.       The parties shall serve all pleadings and motions filed in this action, including supporting  
2 memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may  
3 order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

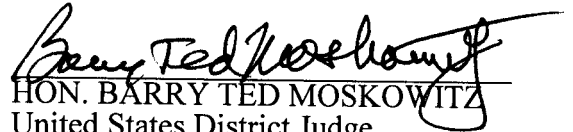
4           5.       The parties shall serve all notices of appeal upon the United States;

5           6.       All orders of this Court shall be sent to the United States; and that

6           7.       Should the relator or the defendants propose that this action be dismissed, settled, or  
7 otherwise discontinued, the ~~Court~~ <sup>parties</sup> will provide the United States with notice and <sup>the United States will</sup> an opportunity to be  
8 heard before ruling or granting its approval.

9           **IT IS SO ORDERED.**

10          Dated: August 6, 2009

  
HON. BARRY TED MOSKOWITZ  
United States District Judge

11  
12 cc:    Counsel for the United States  
13        Counsel for Relator

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