

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 09-CV-00414-WDM-BNB

UNITED STATES OF AMERICA, *ex rel.*
WAYNE ROWE,

Plaintiff,

vs.

FILED UNDER SEAL

GORDON P. RHEAUME D.P.M.,
STANLEY C. RHEAUME, D.P.M., P.C., and
MARABETH JOHNSON,

Defendants.

ORDER

The United States of America having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the Court hereby orders that:

1. The complaint, this Order, and the Government's Notice of Election to Decline Intervention shall be unsealed, and the relator shall serve these documents on the defendants;
2. The seal is lifted as to all matters occurring in this action after the date of this order;
3. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, on the United States, as provided for in 31 U.S.C. § 3730(c)(3), and send them to the attention of government counsel at the following address:

Edwin G. Winstead
Assistant United States Attorney
1225 17th Street, 7th Floor
Denver, CO 80202.

In addition, the Government may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

4. All orders of this Court shall be sent to the Government; and
5. If the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States Government before ruling or granting its approval.

DATED at Denver, Colorado, on January 5, 2010.

BY THE COURT:

s/ Walker D. Miller
United States Senior District Judge