

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge William J. Martínez**

Civil Case No. 09-cv-2175-WJM-KMT

UNITED STATES OF AMERICA, and the States of  
CALIFORNIA,  
COLORADO,  
CONNECTICUT,  
FLORIDA,  
GEORGIA,  
ILLINOIS,  
INDIANA,  
IOWA,  
LOUISIANA,  
MARYLAND,  
MICHIGAN,  
NEVADA,  
NEW YORK,  
NORTH CAROLINA,  
OKLAHOMA,  
TENNESSEE,  
TEXAS,  
VIRGINIA,  
WISCONSIN, and  
DAVID BARBETTA, *ex rel.*

Plaintiffs,

v.

DAVITA, INC., and  
TOTAL RENAL CARE, INC.,

Defendants.

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**ORDER GRANTING UNOPPOSED MOTION TO DISMISS CERTAIN CLAIMS**

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This matter comes before the Court on the unopposed named Plaintiff states of Connecticut, Georgia, Illinois, Indiana, Iowa, Louisiana, Maryland, Michigan, Nevada, new York, North Carolina, Oklahoma, Tennessee, Texas, Virginia, and Wisconsin

("Non-Settling Plaintiff States") Motion to Dismiss, filed January 13, 2015 (ECF No. 78).

The Court having reviewed the Motion and being fully advised hereby ORDERS as follows:

The Non-Settling Plaintiff States' Motion to Dismiss is GRANTED. The Non-Settling Plaintiff States are hereby DISMISSED WITH PREJUDICE. Each party shall pay its own attorney's fees and costs.

Dated this 15<sup>th</sup> day of January, 2015.

BY THE COURT:



William J. Martínez  
United States District Judge