

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Robert E. Blackburn**

Civil Action No. 14-cv-02125-REB-KLM

MOBILE BARRIERS, LLC, a State of Colorado limited liability corporation, by its  
Chairman and CEO  
KEVIN GROENEWEG, on behalf of the  
UNITED STATES OF AMERICA,

Plaintiff/Relators,

v.

JOHN S. GEMBATESE, in his individual and official capacities,  
NICHOLAS TYMVIOS, in his individual and official capacities,  
OREGON STATE UNIVERSITY, a leading public research university in the State of  
Oregon,  
JOHN DOES 1-20, who true names are unknown, and  
XYZ COMPANIES 1-20, whose true names and business entity and/or agency forms  
are unknown,

Defendants.

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**ORDER**

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**Blackburn, J.**

The matter is before me on **The United States' Motion To Unrestrict Case But Maintain Level 2 Restriction of Certain Pleadings [#18]**,<sup>1</sup> filed April 30, 2015. The United States has declined to intervene in this False Claims Act action pursuant to 31 U.S.C. § 3730(b)(4)(B). After careful review of the motion and the file, the court concludes that the motion should be granted.

**THEREFORE, IT IS ORDERED** as follows:

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<sup>1</sup> “[#18]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

1. That **The United States' Motion To Unrestrict Case But Maintain Level 2 Restriction of Certain Pleadings** [#18], filed April 30, 2015, is granted;
2. That the clerk of the court is directed to unrestrict this case;
3. That restricted documents docketed as [#8], filed October 20, 2014, and [#12], filed April 16, 2015, shall be maintained at level 2 restriction; and
4. That the **Qui Tam Complaint Under the False Claims Act ("FCA"), and Complaint for Fraud, Violations of Colorado Government Immunity Act ("GIA"), and Injunctive Relief** [#1], filed July 31, 2014; **The United States' Consent to Voluntary Dismissal without Prejudice** [#17], filed April 30, 2015; **The United States' Motion To Unrestrict Case But Maintain Level 2 Restriction of Certain Pleadings** [#18], filed April 30, 2015; and this order shall be unrestricted and publicly accessible.

Dated May 8, 2015, at Denver, Colorado.

**BY THE COURT:**



Robert E. Blackburn  
United States District Judge