

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

UNITED STATES OF AMERICA; and
THE STATE OF FLORIDA ex rel. JOHN
DOE,

Plaintiffs,

v.

Case No. 6:14-cv-501-Orl-37DAB

HEALTH FIRST, INC.; HEALTH FIRST
HEALTH PLANS INC.; HEALTH FIRST
MEDICAL GROUP; MELBOURNE
INTERNAL MEDICINE ASSOCIATES,
P.A.; HOLMES REGIONAL MEDICAL
CENTER; PALM BAY HOSPITAL;
CAPE CANAVERAL HOSPITAL; VIERA
HOSPITAL; MELBOURNE SAME DAY
SURGERY CENTER; and
MELBOURNE GI CENTER,

Defendants.

ORDER

This cause is before the Court on the United States of America's Consented Motion to Extend Administrative Closure of this Case Until October 22, 2016 (Doc. 121), filed August 22, 2016. Upon consideration, the Court finds that the Motion is due to be granted.

On March 27, 2014, Plaintiff initiated the instant qui tam action against Defendants under the Federal False Claims Act ("**FCA**") and the Florida False Claims Act. (See Doc. 1.) On August 19, 2016, Plaintiff-Relator John Doe notified the Court that the parties to this action had reached a settlement agreement in principle. (Doc. 120.) The following business day, the Court issued its standard dismissal order granting the parties leave to file a stipulated form of final judgment or move to reopen the case within sixty days. (Doc. 122 ("**Dismissal Order**").) In the interim, the United States requested that the Court

extend administrative closure of the case until October 22, 2016, to: (1) permit the parties to finalize their settlement agreement; and (2) allow the Government to review the agreement and indicate whether it consents to any proposed dismissal. (Doc. 121 (“**Motion**”).) The Motion is unopposed. (*Id.* at 3.)

Pursuant to 31 U.S.C. § 3730(b)(1), an FCA claim brought by a private person must be brought in the name of the Government and “may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” Upon consideration of the foregoing statute, the Court finds that the Motion is due to be granted. As such, the Court will vacate its Dismissal Order.

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. The Court’s Order of Dismissal with Prejudice (Doc. 122) is **VACATED**.
2. The United States of America’s Consented Motion to Extend Administrative Closure of this Case Until October 22, 2016 (Doc. 121) is **GRANTED**.
3. On or before Monday, **October 24, 2016**, the United States is **DIRECTED** to inform the Court as to whether the Government consents to dismissal of this action in light of the parties’ proposed settlement agreement.

DONE AND ORDERED in Chambers in Orlando, Florida, on August 23, 2016.




ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record