

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

UNITED STATES OF AMERICA; and  
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.

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**ORDER**

This cause is before the Court on the following:

1. Defendants' Joint Motion to Dismiss Complaint and Incorporated Memorandum of Law (Doc. 45), filed August 10, 2015; and
2. Plaintiff's Amended Complaint for Damages and Other Relief Under the Qui Tam Provisions of the Federal False Claims Act [31 U.S.C. § 3729 *et. seq.*] and the Florida False Claims Act [Fla. Stat. § 68.081 *et. seq.*] (Doc. 61), filed October 1, 2015.

Plaintiffs' qui tam complaint sought recovery under the federal False Claims Act and the Florida False Claims Act (Doc. 1.) Defendants moved to dismiss the initial complaint. (Doc. 45 ("Motion").) Thereafter, Plaintiffs filed an Amended Complaint (Doc.

61), which is now the operative pleading. The pending Motion to Dismiss is now moot.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that Defendants' Joint Motion to Dismiss Complaint and Incorporated Memorandum of Law (Doc. 45) is **DENIED AS MOOT** with leave to reassert.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on October 2, 2015.



  
ROY B. DALTON JR.  
United States District Judge

Copies:

Counsel of Record