

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHIRE REGENERATIVE MEDICINE, INC.,

Defendant.

CASE NO: 8:11-CV-176-T-30MAP
8:12-CV-575-T-30TBM
8:14-CV-969-T-30TBM
8:14-CV-1055-T-30AAS
8:16-CV-268-T-30TBM
8:16-CV-303-T-30TBM

ORDER

THIS CAUSE comes before the Court upon the Joint Motion of Relators, E. Daniel Petty, Christopher Allen Bell, Kyle Lee Richardson, Tara Lyn Denney, Heather Webb, and Antonio Montecalvo, to Lift Moratorium on Filing of Additional Motions (Dkt. 120 in 8:11-cv-176; Dkt. 70 in 8:12-cv-575; Dkt. 88 in 8:14-cv-969; Dkt. 82 in 8:14-cv-1055; Dkt. 58 in 8:16-cv-268; Dkt. 91 in 8:16-cv-303) and the Responses in Opposition. Upon review of the motion, and being otherwise advised in the premises, the Court concludes that the motion should be denied because no further motions are necessary to determine the issue of the relators' share of the Shire settlement.

Specifically, the Court has diligently reviewed the nine pending motions and all of the respective responses. The Court has also reviewed the United States' position on the pending issues, including its May 22, 2017 letter, in which it provided all relators a detailed explanation of the United States' proposed allocation of the settlement proceeds.¹ After reviewing these copious filings and the relevant law, the Court agrees with the United States

¹ Any objection to the Court's review of the May 22, 2017 letter is without merit because, in FCA cases, courts typically consider the United States' valuation estimates of a relator's share.

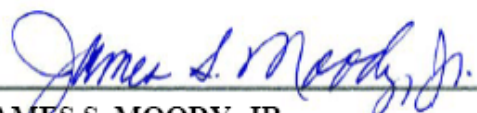
that an evidentiary hearing is unnecessary. *See United States v. Everglades College, Inc.*, 855 F.3d 1279, 1290 (11th Cir. 2017). The Court also concludes that further briefing is unnecessary at this time. The current record, which is extensive, is more than sufficient to allow the Court to proceed with its rulings on the pending motions and the Court is prepared to do so.

Nonetheless, because only relators Vinca/Sweeney and Harvey filed a substantive reply to the United States' position, as reflected in the May 22, 2017 letter, the Court will allow the remaining relators an opportunity to respond to the United States' proposed allocation of the settlement proceeds before the Court issues its rulings.

Accordingly, it is hereby **ORDERED and ADJUDGED** that:

1. The Joint Motion of Relators, E. Daniel Petty, Christopher Allen Bell, Kyle Lee Richardson, Tara Lyn Denney, Heather Webb, and Antonio Montecalvo, to Lift Moratorium on Filing of Additional Motions (Dkt. 120 in 8:11-cv-176; Dkt. 70 in 8:12-cv-575; Dkt. 88 in 8:14-cv-969; Dkt. 82 in 8:14-cv-1055; Dkt. 58 in 8:16-cv-268; Dkt. 91 in 8:16-cv-303) is denied.
2. Relators Medolla, Petty, et al., Webb, and Montecalvo may file a Reply to the United States' position as discussed in detail in the May 22, 2017 letter, within fourteen (14) days of this Order.

DONE and ORDERED in Tampa, Florida on October 20, 2017.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record