

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF GEORGIA

THOMASVILLE DIVISION

UNITED STATES OF AMERICA )  
 ex rel. JEAN LOPER and )  
 JOHN A. KING, D.O, )  
 )  
 Plaintiffs, )  
 )  
 v. )  
 )  
 DONALSONVILLE HOSPITAL, INC., )  
 et al., )  
 )  
 Defendants. )  
 \_\_\_\_\_ )

CIVIL ACTION NO.:  
6:01-CV-41 (HL)

**ORDER APPROVING SETTLEMENT**

Plaintiffs-Relators Jean Loper (“Loper”) and John A. King, D.O. (“King”), and Defendants Donalsonville Hospital, Inc., Donalsonville Medical Associates, Inc.; Homer E. Breckenridge, III, M.D., The Estate of Homer, E. Breckenridge, Jr., M.D., Homer E. Breckenridge, III, M.D, P.C.; Seminole Manor Nursing Home, Inc., and Southwest Georgia Respiratory Care, Inc. (“Defendants”) (collectively, “the Parties”) have agreed to the resolution of the claims by Plaintiffs-Relators Loper and King against Defendants in this action, filed pursuant to the qui tam provisions of the federal False Claims Act, 31 U.S.C. §§ 3729, et seq., under the following terms:

1. This Court has jurisdiction over the subject matter of this litigation and over Plaintiffs-Relators Loper and King, and over Defendants.
2. The Parties hereby agree to resolve the claims raised in the Amended Complaint in accordance with the signed Settlement and Release Agreement (“Agreement”) attached to

Defendants' Motion to Approve Settlement [Doc. 118] which provides, among other things, for payments by Defendants in the total amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00), broken down as follows: One Hundred Twenty Five Thousand Dollars (\$125,000.00) to the United States; Two Hundred Thirty Two Thousand Dollars (\$232,000.00) to Plaintiff-Relator King; Seventy Thousand Dollars (\$70,000.00) to Plaintiff-Relator Loper; and Three Hundred Twenty Three Thousand Dollars (\$323,000.00) to Plaintiffs-Relators' counsel, Bothwell & Simpson, P.C. for Plaintiffs-Relators' attorneys' fees, costs and expenses, to be paid pursuant to the Agreement at a closing to occur not later than fifteen (15) days following the Court's entry of an order approving the Agreement.

3. Defendants shall bear their respective costs, attorneys' fees, and other expenses incurred in the litigation of this civil action, and Plaintiffs-Relators shall bear all their respective costs, attorneys' fees, and other expenses except as provided for in the Agreement.

Accordingly, pursuant to 31 U.S.C. § 3730, and based on the settlement of the Parties and for good cause shown, IT IS HEREBY ORDERED AS FOLLOWS:

1. The Agreement of the Parties attached to Defendants' Motion to Approve Settlement [Doc. 118] is approved; and

2. Except for the payments set forth in the Agreement, Defendants are not required to make any further payments to the United States or to Plaintiffs-Relators, including any payments that might otherwise be required under 31 U.S.C. § 3730(d)(2).

SO ORDERED this 23<sup>rd</sup> day of February, 2006.

s/ Hugh Lawson  
HUGH LAWSON  
UNITED STATES DISTRICT JUDGE