

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

ex rel.

Mazen Shaheen,

Plaintiff,

vs.

Case No. 16-2766-CM

VIA CHRISTI HEALTH, INC., et al.,

Defendants.

ORDER

The United States has declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) (see ECF No. 9). Accordingly, it is ordered that:

1. The Complaint (ECF No. 1), this order, and the United States' Notice of Election to Decline Intervention (ECF No. 9), shall be unsealed and be served on defendants by the relator;
2. The United States' motions to extend the intervention deadline and the corresponding orders (ECF Nos. 5-8) shall remain ex parte and not be made public or served on either the relator or defendants;
3. The seal shall be lifted as to all other matters occurring in this action after the date of this order;
4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, on the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;
5. The parties shall serve all notices of appeal on the United States;

6. All orders of this court will be sent via CM/ECF to the United States as an interested party; and
7. Should the relator or defendants propose that this action be dismissed, settled, or otherwise discontinued, the court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED.

Dated January 24, 2018, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
United States Magistrate Judge