

Rule 54(b) states: "When an action presents more than one claim for relief . . . the court may direct entry of a final judgment as to one or more, but fewer than all, claims . . . only if the court expressly determines that there is no just reason for delay." "When contemplating Rule 54(b) certification, a trial court first must ensure that the ruling underlying the proposed judgment is final." Nystedt v. Nigro, 700 F.3d 25, 29 (1st Cir. 2012). "To qualify as final, a ruling must dispose . . . of some discrete substantive claim or set of claims against the defendants generally." Id. (internal quotations omitted).

The Court's May 31, 2013 order is final because it disposed entirely of the False Claims Act claims against Baxter. There is no just reason for delay because the remaining employment claims under California law are legally and factually distinct from the False Claims Act claims, and the issues underlying the Court's order are otherwise ripe for appeal. See U.S. ex rel. Wilson v. Bristol-Myers Squibb, Inc., 2013 WL 3327317, *7-8 (D. Mass. June 27, 2013) (allowing partial final judgment on False Claims Act claims under Rule 54(b) where remaining employment claims were

actually and legally distinct). Relators' motion (Doc. No. 231, 1:08-cv-11200) is **ALLOWED** and the Court enters final judgment in favor of Baxter on the False Claims Act claims.

/s/ PATTI B. SARIS
PATTI B. SARIS
CHIEF UNITED STATES DISTRICT JUDGE