

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 12-CV-12280-GAO

UNITED STATES OF AMERICA, et al, *ex rel.* RONALD E. KAVANAUGH,  
Plaintiff and Relator,

v.

MERCK & CO., INC., a New Jersey Corporation, et al.  
Defendants.

**ORDER TO DISMISS WITHOUT PREJUDICE**

October 14, 2014

O'TOOLE, J.D.

The Relator has moved to dismiss this action without prejudice. No opposition having been received, the Court hereby rules, pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), as follows:

IT IS HEREBY ORDERED that

1. The motion to Dismiss Without Prejudice is GRANTED. This Complaint is dismissed without prejudice to the United States of America or Relator.
2. As the Complaint is now dismissed, Relator is relieved of the Court's requirement in paragraph 2 of its July 18, 2014 Order that he serve upon the defendants: the complaint, the United States' Notice of Election to Decline Intervention, and the Court's July 18, 2014 Order.

IT IS SO ORDERED.

/s/ George A. O'Toole, Jr.  
United States District Judge