

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America *ex rel.* David Ketroser,  
Gary Latz, Robert Smith, and Jason Kennedy,

Plaintiffs,

v.

Civil No. 07-4676 (JNE/AJB)  
ORDER

Mayo Foundation, Mayo Clinic, Mayo  
Collaborative Services, Inc., Mayo Clinic-Saint  
Mary's Hospital, and Mayo Clinic-Methodist  
Hospital,

Defendants.

On July 22, 2011, the Court dismissed the part of Relators' Second Amended Complaint as to which the United States had not intervened. On August 8, 2012, the parties stipulated to the entry of an order dismissing with prejudice the United States' Complaint in Partial Intervention and dismissing Relators' claims under 31 U.S.C. § 3730(d) for attorney fees related to the Covered Conduct set forth in a Settlement Agreement. Accordingly, IT IS ORDERED THAT:

1. The first claim of Relators' Second Amended Complaint is DISMISSED for lack of subject matter jurisdiction.
2. The part of the second claim of Relators' Second Amended Complaint as to which the United States did not intervene is DISMISSED for failure to state a claim.
3. The United States' Complaint in Partial Intervention is DISMISSED WITH PREJUDICE.
4. All claims asserted on behalf of Relators for attorney fees under 31 U.S.C. § 3730(d) related to the Covered Conduct set forth in the Settlement Agreement are DISMISSED WITH PREJUDICE.

5. The Court retains jurisdiction over any disputes that may arise regarding compliance with the Settlement Agreement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: August 15, 2012

s/ Joan N. Ericksen  
JOAN N. ERICKSEN  
United States District Judge