

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI DELTA DIVISION

UNITED STATES OF AMERICA, *ex rel.*,
THOMAS F. JAMISON,

Case No. 2:08cv0214-SA-DAS

Plaintiffs,

v.

MCKESSON CORPORATION; MCKESSON MEDICAL-
SURGICAL MEDINET, INC.; GGNSC HOLDINGS, LLC;
GOLDEN GATE ANCILLARY, LLC; BEVERLY
ENTERPRISES, INC; CERES STRATEGIES, INC.; and
CERES STRATEGIES MEDICAL SERVICES, LLC,

Defendants.

**STIPULATION REGARDING DISCOVERY
AND ORDER**

WHEREAS, the Relator, through counsel, sought to take the deposition of the defendants in this case regarding the question of whether the Court has jurisdiction over the Relator's claims;

WHEREAS, the defendants objected to these depositions, and moved for a protective order on May 21, 2009;

WHEREAS, the Relator contends that the depositions are necessary because certain of defendants' written discovery responses are inadequate; and

WHEREAS, the defendants deny that their written responses are inadequate, but are willing to clarify those responses as a compromise to resolve the parties' dispute;.

NOW THEREFORE, the undersigned parties, by and through their respective counsel, do

hereby stipulate that:

1. The defendants will supplement their responses to the Relator's Requests for Admissions Nos. 1-3, dated April 29, 2009, to explain their bases for denying these Requests. Such supplemental responses will be provided by June 8, 2009. In supplementing their responses, defendants will identify each document that defendants allege constitutes a public disclosure that triggers the jurisdictional bar and that names particular defendants. These supplemental responses may be amended should defendants discover or identify additional such public disclosures following the service of their supplemental responses.

2. The Relator will not take the depositions of any of the defendants during the jurisdictional phase of the case; and

3. Defendants will withdraw their pending motion for protective order.

Dated: June 1, 2009

KEKER & VAN NEST, LLP

By: /s/ David J. Silbert
DAVID J. SILBERT
Attorneys for Defendants
MCKESSON CORPORATION and
MCKESSON MEDICAL-SURGICAL MEDINET,
INC.

Dated: June 1, 2009

U.S. DEPARTMENT OF JUSTICE

By: /s/ Thomas Morris
THOMAS MORRIS
Attorneys for Plaintiff-Intervenor
UNITED STATES OF AMERICA

Dated: June 1, 2009

PIGOTT REEVES & JOHNSON

By: /s/ Cliff Johnson
CLIFF JOHNSON
Attorneys for Plaintiff-Relator
THOMAS F. JAMISON

Dated: June 1, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/ Robert S. Salcido
ROBERT S. SALCIDO
Attorneys for Defendants
GNSC HOLDINGS, LLC; GOLDEN GATE
ANCILLARY, LLC; BEVERLY ENTERPRISES,
INC.; CERES STRATEGIES, INC.; and CERES
STRATEGIES MEDICAL SERVICES, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: June 4, 2009

/s/ David A. Sanders
HON. DAVID A. SANDERS
U. S. MAGISTRATE JUDGE