

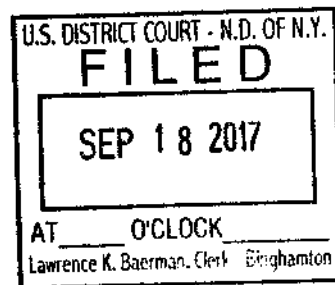
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CASE NO.: 1:14-CV-17

UNITED STATES OF AMERICA, ex rel.
GEORGE PONCY,

Plaintiff,

v.

ACADEMY MEDICAL, LLC, a Florida limited
liability company; EDWARD D. DESSER,
individually; PATRICK J. PAPA, individually;
DANIEL M. SHAW, individually;
SR KENT, LLC, a Florida limited liability
company, and STEVEN R. KENT, individually.Defendants.
-----/**NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE
AS TO NON-SETTLING DEFENDANTS**

Plaintiff/Relator, George Poncy, pursuant to Rule 41(a)(1)(A)(i), files this Notice of Dismissal Without Prejudice as to defendants Patrick J. Papa, SR Kent, LLC, and Steven R. Kent. Pursuant to 31 U.S.C. §3730(b)(1), the written consent of the United States for the dismissal of these parties is attached as Exhibit A. This dismissal is without prejudice as to the Relator and as to the United States. Pursuant to Local Rule 41.3, no party hereto is an infant or incompetent.

Dated: 9.15.17

Respectfully submitted,

s/ Robert C. GlassRobert C. Glass
N.D.N.Y. Bar No. 519114
MCCABE RABIN, P.A.
1601 Forum Place, Suite 505
West Palm Beach, FL 33401
Tel.: 561-659-7878
Fax: 561-242-4848
rglass@mccaberabin.com
Attorney for Relator George Poncy

Of counsel:

Ryon M. McCabe

Fla. Bar No. 009075

rmccabe@mccaberabin.com

MCCABE RABIN, P.A.

1601 Forum Place, Suite 505

West Palm Beach, FL 33401

Tel.: 561-659-7878

Fax: 561-242-4848

Jack Scarola

Florida Bar No. 169440

jsx@searcylaw.com

SEARCY, DENNEY, SCAROLA, BARNHART & SHIPLEY, P.A.


2139 Palm Beach Lakes Blvd

West Palm Beach, FL 33401

561-686-6300

SO ORDERED.

Dated: September 18, 2017



Hon. Thomas J. McAvoy, SUSDJ

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA ex rel.
GEORGE PONCY,

Plaintiff,

v.

Civil Action No.: 14-cv-17 (TJM/DJS)

ACADEMY MEDICAL, LLC, a Florida
limited liability company, EDWARD D.
DESSER, individually, PATRICK J. PAPA,
individually, DANIEL M. SHAW,
individually, SR KENT, LLC, a Florida
limited liability company, and STEVEN R.
KENT, individually,

Defendants.

**THE UNITED STATES OF AMERICA'S CONSENT TO
RELATOR'S NOTICE OF VOLUNTARY DISMISSAL**

Pursuant to 31 U.S.C. § 3730(b)(1), the United States consents to the dismissal of
defendants Patrick J. Papa, SR Kent, LLC, and Steven R. Kent from this action, so long as the
dismissal is without prejudice to the United States.

September 6, 2017

Respectfully submitted,

THE UNITED STATES OF AMERICA

GRANT C. JAQUITH
Acting United States Attorney

/s/ Adam J. Katz
ADAM J. KATZ
Assistant United States Attorney
Bar Roll No. 517894

