UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

PARTIAL JUDGMENT IN A CIVIL CASE

UNITED STATES ex rel. TIMOTHY J. KUNEY

Plaintiff,

v. CASE NUMBER: 5:08-CV-1239

(FJS/ATB)

CABLEXPRESS CORP., d/b/a CXTEC

Defendant.

Decision by Court. This action came to a hearing before the Court. The issues have been heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED

That the Court having determined pursuant to Fed. R. Civ. P. 54(b) that there is no just reason for delay, judgment is entered with prejudice as to all claims by plaintiff/relator Timothy J. Kuney against defendant CABLExpress Corp. Judgment is entered without prejudice as to the United States. Plaintiff/relator's claim against the United States for an award pursuant to 31 U.S.C. § 3730(d)(2) shall remain pending.

All of the above pursuant to the order of the Honorable Judge Frederick J. Scullin, Jr., dated the 9th day of December, 2015.

DATED: December 9, 2015

s/ Nicole Eallonardo

Clerk of Court

Deputy Clerk