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February 15, 2021

BY ECF

Hon. Victor Marrero
United States District Judge
Daniel P. Moynihan U.S Courthouse
500 Pearl Street
New York, New York 10007

Re: *U.S. ex rel. SW Challenger v. eviCore Healthcare*, 19 Civ. 2501 (VM)

Dear Judge Marrero:

This Office represents the United States (the “Government”) as the real party in interest in the above-referenced case filed pursuant to the *qui tam* provisions of the False Claims Act (“FCA”), 31 U.S.C. § 3730.¹ I write respectfully to request a one-week extension of the briefing schedule in connection with the defendant’s pending motion to dismiss. The relators and the defendant, through their respective counsel, consent to this request.

By way of background, on February 4, 2021, the Government filed a letter-motion to request an adjustment to the briefing schedule for the motion to dismiss that would accommodate the filing of a statement of interest by the Government pursuant to 28 U.S.C. § 517 (“SOI”). *See* Dkt. No. 33. On February 5, the Court granted that request and set February 22 as the due date for the Government to file an SOI and March 15 as the date by when defendant is to file its reply. *See* Dkt. No. 34.

Due to an illness last week, I have not made as much progress on the SOI as I had hoped. Accordingly, I respectfully request a one-week extension of the due date for the Government’s SOI, *i.e.*, from February 22 to March 1, 2021. Further, if the Court should grant this request, I also request — on behalf of the defendant and with the relators’ consent — that the Court extend the due date for the defendant’s reply by one week from March 15 to March 22, 2021.

¹ As the Court is aware, the Government declined intervention in this *qui tam* case, and this case was unsealed in June 2020. *See* Dkt. No. 6.

I thank the Court for its consideration of this extension request.

Respectfully,

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Southern District of New York

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cc: (by ECF)
All Counsel of Record

The request for extension is granted. The Government's deadline to file its statement of interest is extended until March 1, 2021. Defendant's deadline to respond is extended until March 22, 2021.

SO ORDERED.

2/16/2021

DATE


VICTOR MARRERO, U.S.D.J.