

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
CHARLOTTE, NC
JUN 19 2012
U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

THE UNITED STATES OF AMERICA,)
THE STATE OF GEORGIA, THE STATE)
OF NORTH CAROLINA, ex rel.,)
[UNDER SEAL],)

Plaintiffs,)

v.)

Case No. 3:11CV141-GCM

NEXTCARE, INC.,)
NEXTCARE ARIZONA LLC,)
COLORADO URGENT CARE, LLC,)
NEXTCARE GEORGIA LLC,)
NEXTCARE NORTH CAROLINA LLC,)
MATRIX OCCUPATIONAL HEALTH,)
INC., NEXTCARE TEXAS LLC,)
VIRGINIA URGENT CARE, LLC,)
JOHN SHUFELDT, and)
DOES 1 THROUGH 25, INCLUSIVE,)

UNDER SEAL

Defendant.)

ORDER

Considering the United States' Amended Notice of Partial Intervention, Declination, Settlement, and Dismissal, and Motion to Lift Seal (the "United States' Amended Notice and Motion"), IT IS ORDERED that:

1. this action is dismissed with prejudice as to Defendant NextCare, Inc. only pursuant to the terms of the Settlement Agreement effective June 4, 2012 ("Settlement Agreement");

2. the Court shall retain jurisdiction over this matter to enforce the terms of the Settlement Agreement;

3. the Complaint and Amended Complaint shall be unsealed and the Amended Complaint shall be served upon the remaining Defendant, John Shufeldt, M.D., by Relator;

4. all other contents of the Court's file in this action shall remain under seal and not be made public or served upon any Defendant, except for this Order and the Government's Amended Notice of Election to Decline Intervention, which the Relator will serve upon Defendant John Shufeldt, M.D. only after service of the Amended Complaint;

5. the parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

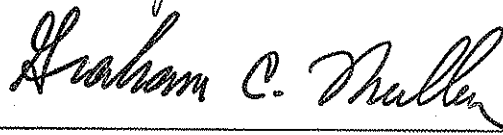
6. the parties shall serve all notices of appeal upon the United States;

7. all orders of this Court shall be sent to the United States; and that

8. should the Relator or the remaining Defendant, John Shufeldt, M.D., propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

SO ORDERED.

Signed: 21 June, 2012.



GRAHAM C. MULLEN
SENIOR UNITED STATES DISTRICT JUDGE