NOTORFRANSESCO v. SURGICAL MONITORING ASSOCIATES, INC. et al Doc. 48

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ex rel. LORRAINE NOTORFRANSESCO	:	
Plaintiff-Relator,	:	
v.	:	**CIVIL ACTION**
	:	**NO. 09-1703**
SURGICAL MONITORING ASSOC., INC. AND SPECIALTYCARE, INC., et al.	:	
Defendants.	:	

ORDER

AND NOW, this _2nd__ day of September, 2014, upon consideration of Defendants' Motion to Dismiss Plaintiff's First Amended Qui Tam Complaint (Doc. 37), Plaintiff's Response (Doc. 41), Defendants' Reply (Doc. 44), and all Supplemental Authority, **IT IS HEREBY ORDERED AND DECREED** that Defendants' Motion to Dismiss is **DENIED IN PART AND GRANTED IN PART** as follows:

1. With respect to Defendant SpecialtyCare, Inc., Defendants' Motion is **GRANTED** in its entirety. All claims against Defendant SpecialtyCare, Inc. shall be dismissed.
2. With respect to Defendant Surgical Monitoring Associates, Defendants' Motion is **DENIED** with respect to Counts I, II, III, IV, and VI of Plaintiff's Amended Complaint and **GRANTED** with respect to Count V of Plaintiff's Amended Complaint.

BY THE COURT:

/s/ Petrese B. Tucker

Hon. Petrese B. Tucker, C.J.

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