

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

United States of America,)	
<i>ex rel.</i> Paul Frascella,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:07cv529 (LMB/TRJ)
)	
Oracle Corporation)	
<i>et al.</i> ,)	
)	
Defendants.)	
_____)	

ORDER

Before the court is Defendants’ and Reed Smith’s Joint Motion to Vacate (no. 308/313/315), which was filed under seal. The government and relator have filed briefs in opposition, to which defendants and Reed Smith replied. The matter is under advisement, and oral argument is not needed.

The motion is DENIED because vacatur is an equitable remedy that is available only in “exceptional circumstances,” *U.S. Bancorp Mortgage Co. v. Bonner Mall Partnership*, 513 U.S. 18, 29, 115 S. Ct. 386, 130 L. Ed. 2d 233 (1994), and the court finds that the circumstances present here are not exceptional within the meaning of applicable authority.

It is so ORDERED.

ENTERED this 7th day of October, 2011.

/s/
Thomas Rawles Jones, Jr.
United States Magistrate Judge

Alexandria, Virginia