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7

8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA

10  
11 UNITED STATES OF AMERICA, and the  
12 states of CALIFORNIA, COLORADO,  
13 DISTRICT OF COLUMBIA, GEORGIA,  
14 HAWAII, MARYLAND, VIRGINIA,  
WASHINGTON, *ex rel.* JEFFREY MAZIK,

15 Plaintiffs,

16 vs.

17 KAISER PERMANENTE, INC., KAISER  
18 FOUNDATION HEALTH PLAN, INC.,

19 Defendants.  
20

2: 19-CV-559 JAM KJN

**ORDER ON THE UNITED STATES'  
NOTICE  
OF ELECTION TO DECLINE  
INTERVENTION**

21 The United States having declined to intervene in this action pursuant to the False Claims  
22 Act, 31 U.S.C. § 3730(b)(4)(B), the Court rules as follows:

- 23 1. The complaint be unsealed and served upon the defendant by the relator;  
24 2. All other contents of the Court's file in this action remain under seal and not be made  
25 public or served upon the defendant, except for this Order and The Government's Notice of Election  
26 to Decline Intervention, which the relator will serve upon the defendant only after service of the  
27 complaint;  
28

1 3. The seal be lifted as to all other matters occurring in this action after the date of this  
2 Order;

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

7 5. The parties shall serve all notices of appeal upon the United States;

8 6. All orders of this Court shall be sent to the United States; and that

9 7. Should the relator or the defendant propose that this action be dismissed, settled, or  
10 otherwise discontinued, the Court will provide the United States with notice and an opportunity to be  
11 heard before ruling or granting its approval.

12  
13 IT IS SO ORDERED.

14  
15 DATE: July 10, 2020

16 /s/ John A. Mendez \_\_\_\_\_  
17 HONORABLE JOHN A. MENDEZ  
18 United States District Court Judge  
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1 **CERTIFICATE OF SERVICE BY ELECTRONIC MAIL**

2 The undersigned hereby certifies that she is an employee in the Office of the United States  
3 Attorney for the Eastern District of California and is a person of such age and discretion to be  
4 competent to serve papers.

5 That on July 10, 2020, she served a copy of:

6 [PROPOSED] ORDER ON THE UNITED STATES' NOTICE  
7 OF ELECTION TO DECLINE INTERVENTION

8 by sending copies via electronic mail to the electronic address(es) stated below, which is/are the last  
9 known electronic address(es).

10 **Addressee(s):**

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25  
26  
27 /s/ Monica C. Lee  
MONICA C. LEE

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