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IN THE UNITED STATES DISTRICT COURT

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FOR THE EASTERN DISTRICT OF CALIFORNIA

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12 UNITED STATES, STATE OF
CALIFORNIA, STATE OF COLORADO,
13 STATE OF GEORGIA, STATE OF HAWAII,
STATE OF MARYLAND,
14 COMMONWEALTH OF VIRGINIA, STATE
OF WASHINGTON *ex rel.* JEFFREY
15 MAZIK,

2:19-cv-0559 JAM KJN

**ORDER ON THE PLAINTIFF STATES’
NOTICE OF ELECTION TO DECLINE
INTERVENTION AS TO FIRST
AMENDED COMPLAINT**

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Plaintiffs,

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v.

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19 KAISER FOUNDATION HEALTH PLAN,
INC., KAISER FOUNDATION HOSPITALS,
20 INC., and THE PERMANENTE MEDICAL
GROUPS,

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Defendants.

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ORDER

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Since Plaintiffs California, Colorado, Georgia, Hawaii, Maryland, Virginia, and Washington

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(collectively, the “Plaintiff States”) have declined to intervene in this action pursuant to their

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respective false claims acts (e.g. Cal. Gov’t Code § 12652(c)(6)(B)), the Court rules as follows

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1 **IT IS ORDERED THAT:**

2 1. The First Amended Complaint be unsealed and served upon the defendants by the relator;

3 2. All other contents of the Court's file in this action shall remain under seal and not be made
4 public or served upon the defendants, except for filings already unsealed by order of the Court;

5 3. The parties shall serve all pleadings and motions filed in this action, including supporting
6 memoranda, upon the Plaintiff States as provided for in Cal. Gov't Code § 12652(f)(1) and the
7 other states' respective false claims acts (excluding Maryland). The Plaintiff States (other than
8 Maryland) may order any deposition transcripts and are entitled to intervene in this action as
9 provided in their respective false claims acts at any time; and

10 4. The parties shall serve all notices of appeal on the Plaintiff States;

11 5. All orders of this Court shall be served on the Plaintiff States; and that

12 6. Should the relator or the defendants propose that this action be dismissed, settled, or
13 otherwise discontinued, the Court will provide the Plaintiff States (other than Maryland) with notice
14 and an opportunity to be heard before ruling or granting its approval, in accordance with Cal. Gov't
15 Code § 12652(c)(1) and the respective false claims acts of the Plaintiff States.

16 7. In accordance with the terms of the Maryland False Health Claims Act, Md. Code Ann.,
17 Health Gen, § 2-604 (a)(7), the State of Maryland having declined to intervene in this matter, all
18 claims asserted on behalf of Maryland are hereby dismissed without prejudice.

19 IT IS SO ORDERED.

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21 DATED: December 6, 2021

/s/ John A. Mendez

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23 THE HONORABLE JOHN A. MENDEZ
24 UNITED STATES DISTRICT COURT JUDGE
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