

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
ex rel. Joanne Waters,)
)
 Plaintiff,)
)
 v.)
)
 ST. LOUIS PATHOLOGY ASSOCIATES,)
 INC., ST. LOUIS CLINICAL)
 PATHOLOGY LLC, ST. JOHN’S MERCY)
 HOSPITAL SYSTEM, PHYSICIAN)
 DATA MANAGEMENT LLC, and)
 UNITEDHEALTH GROUP, INC.,)
)
 Defendants.)

No. 4:20-CV-00037-SEP

FILED UNDER SEAL

**THE UNITED STATES’ NOTICE
OF ELECTION TO DECLINE INTERVENTION**

Pursuant to the False Claims Act 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States; providing, however, that the “action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting.” *Id.* Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent to the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government’s counsel. The United States reserves its

right to order any deposition transcripts, to intervene in this action, for good cause, at a later date, and to seek the dismissal of the relator's action or claim. The United States also requests that it be served with all notices of appeal.

Finally, the Government requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing was electronically mailed this 24th day of June, 2022, to the following:

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Attorneys for Relator

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