

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

2020 FEB 21 PM 4:28
CLERK, US DISTRICT COURT
MIDDLE DISTRICT FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA,
ex rel. DR. CLARISSA ZAFIROV,

Plaintiffs,

v.

Case No.: 8:19-cv-1236-T-23SPF

**FILED EX PARTE
AND UNDER SEAL**

FLORIDA MEDICAL ASSOCIATES, LLC, *et al.*,

Defendants.

_____ /

**NOTICE OF THE UNITED STATES THAT
IT IS NOT INTERVENING AT THIS TIME**

In its most recent Orders, dated January 28, 2020 and February 12, 2020, the Court indicated that the United States must make its intervention decision on or before February 21, 2020, and that no further extensions of time would be granted. Despite its effort, as of this date, the United States has not been able to complete its investigation sufficiently to make an informed decision whether to proceed with the action. Accordingly, the United States hereby notifies the Court that it is not intervening at this time. However, the Government will continue its investigation.

Although the United States is not intervening at this time, it respectfully refers 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 of 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 it. 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 United States requests that the relator's Complaint and this Notice be unsealed, but contemporaneously with this Notice, it is also filing a motion to redact certain documents on file in this action.

Respectfully submitted,

JOSEPH H. HUNT
Assistant Attorney General

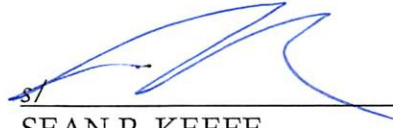
MARIA CHAPA LOPEZ
United States Attorney



ANDY J. MAO
PATRICIA L. HANOWER
J. JENNIFER KOH
Attorneys, Civil Division
United States Department of Justice

Dated: February 21, 2020

By:



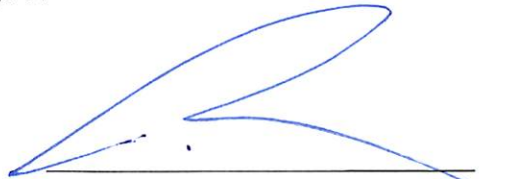
SEAN P. KEEFE
Assistant United States Attorney
Florida Bar No. 0413828
400 North Tampa Street, Suite 3200
Tampa, FL 33602
Telephone: (813) 274-6000
Facsimile: (813) 274-6200
E-mail: sean.keefe@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing to be served on this day,
February 21, 2020, via U.S. mail to the following counsel of record:

Jillian Estes, Esq,
Morgan Verkamp LLC
35 East Seventh Street, Suite 600
Cincinnati, Ohio 45202

Counsel for Relator Dr. Clarissa Zafirov



SEAN P. KEEFE
Assistant United States Attorney