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9 **UNITED STATES DISTRICT COURT**  
10 **NORTHERN DISTRICT OF CALIFORNIA**

11 UNITED STATES OF AMERICA  
12 *ex. rel.*, NASER AREFI, *et al.*,

13 Plaintiffs,

14 vs.

15 KAISER FOUNDATION HEALTH  
16 PLAN, INC., *et al.*,

17 Defendants.

Case No. 3:16-cv-01558-EMC  
(Consol. Case No. 3:13-cv-03891-EMC)

**RELATORS’ RESPONSE AND NON-  
OPPOSITION TO KAISER  
DEFENDANTS’ MOTION TO  
DISMISS COMPLAINT PURSUANT  
TO FALSE CLAIMS ACT’S FIRST-  
TO-FILE BAR**

Hearing Date: March 31, 2022  
Time: 1:30 PM  
Judge: Hon. Edward M. Chen  
Courtroom: 5, 17th Floor

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20 Relators Naser Arefi, Ajith Kumar, and Prime Healthcare Services, Inc.  
21 (“Relators”), by and through their counsel of record, hereby file their response and  
22 non-opposition to the Kaiser Defendants’ motion to dismiss their complaint in Case  
23 No. 3:16-cv-01558-EMC pursuant to the first-to-file bar of the False Claims Act, 31  
24 U.S.C. §§ 3729-3733.

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1 DATED: January 24, 2022

2 By: /s/ *M. S. Hardiman*

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