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9 *Attorneys for Defendants*

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 12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**
 14

15
 16 UNITED STATES OF AMERICA ex rel.
 RONDA OSINEK,

17
 18 Plaintiff,

19 v.

20 KAISER PERMANENTE, et al.,

21 Defendants.

Case No. 3:13-cv-03891-EMC

**DEFENDANTS' REQUEST FOR ENTRY
 OF FINAL JUDGMENT PURSUANT TO
 FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

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 27 (CAPTION CONTINUED)

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UNITED STATES OF AMERICA ex rel.
NASER AREFI, AJITH KUMAR and PRIME
HEALTHCARE SERVICES, INC.,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-01558-EMC

**DEFENDANTS' REQUEST FOR
ENTRY OF FINAL JUDGMENT
PURSUANT TO FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
MARCIA STEIN and RODOLFO BONE,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-05337-EMC

**DEFENDANTS' REQUEST FOR
ENTRY OF FINAL JUDGMENT
PURSUANT TO FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
GLORYANNE BRYANT and VICTORIA
HERNANDEZ,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:18-cv-01347-EMC

**DEFENDANTS' REQUEST FOR
ENTRY OF FINAL JUDGMENT
PURSUANT TO FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

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UNITED STATES OF AMERICA and
STATE OF CALIFORNIA ex rel. MICHAEL
BICOCCA,

Plaintiffs,

v.

PERMANENTE MEDICAL GROUP, INC.,
et al.,

Defendants.

Case No. 3:21-cv-03124-EMC

**DEFENDANTS' REQUEST FOR
ENTRY OF FINAL JUDGMENT
PURSUANT TO FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
JAMES M. TAYLOR,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:21-cv-03894-EMC

**DEFENDANTS' REQUEST FOR
ENTRY OF FINAL JUDGMENT
PURSUANT TO FED. R. CIV. P. 58(D)**

Judge: Hon. Edward M. Chen

1 Defendants¹ hereby request that the Court sign, and direct the Clerk of the Court to enter,
 2 a final judgment set out in a separate document as provided by Federal Rule of Civil Procedure
 3 58(a) in each of the following cases:

- 4 • *United States ex rel. Arefi v. Kaiser Foundation Health Plan, Inc.*, Case No. 3:16-cv-
 5 01558-EMC (N.D. Cal.);
- 6 • *United States ex rel. Stein v. Kaiser Foundation Health Plan, Inc.*, Case No. 3:16-cv-
 7 05337-EMC (N.D. Cal.); and
- 8 • *United States ex rel. Bicocca v. Permanente Medical Group, Inc.*, Case No. 3:21-cv-
 9 03124-EMC (N.D. Cal.).

10 On May 5, 2022, the Court granted in part Defendants’ Motion to Dismiss pursuant to the
 11 False Claims Act’s First-to-File Bar, dismissing *Arefi* and *Stein* in their entirety and *Bicocca*
 12 except to the extent it pleads claims based on the California False Claims Act. Dkt. No. 171 at
 13 46. *Bicocca*’s claims under the California False Claims Act were voluntarily dismissed on
 14 February 24, 2022. Dkt. No. 159. Accordingly, the entry of final judgment is appropriate in
 15 *Arefi*, *Stein*, and *Bicocca*.

22 ¹ “Defendants” are Kaiser Foundation Health Plan, Inc.; Kaiser Foundation Health Plan of
 23 Colorado; The Permanente Medical Group, Inc.; Southern California Permanente Medical Group;
 24 Colorado Permanente Medical Group, P.C.; Kaiser Foundation Hospitals; Kaiser Foundation
 25 Health Plan of Georgia, Inc.; Kaiser Foundation Health Plan of the Mid-Atlantic States; Kaiser
 26 Foundation Health Plan of the Northwest; Kaiser Foundation Health Plan of Washington; The
 27 Southeast Permanente Medical Group; Hawaii Permanente Medical Group; Mid-Atlantic
 28 Permanente Medical Group; Group Health Permanente (n/k/a Washington Permanente Medical
 Group, P.C.); Northwest Permanente, P.C.; and The Permanente Federation, LLC. *Stein* also
 names “Kaiser Permanente” as a defendant, but “Kaiser Permanente” is not a legal entity. *See*
 Req. for Judicial Notice in Supp. of Mot. to Dismiss Pursuant to False Claims Act’s First-to-File
 Bar (Dkt. 142) at 4–5, Ex. F.

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Dated: October 28, 2022

Respectfully submitted,

By: /s/ Dimitri D. Portnoi
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STEPHEN M. SULLIVAN
CAITLIN M. BAIR
DIMITRI D. PORTNOI
KYLE M. GROSSMAN

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 12 **UNITED STATES DISTRICT COURT**
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 16 UNITED STATES OF AMERICA ex rel.
 RONDA OSINEK,

17 Plaintiff,

18 v.

19 KAISER PERMANENTE, et al.,

20 Defendants.
 21

Case No. 3:13-cv-03891-EMC

**[PROPOSED] FINAL JUDGMENT IN CASE
 NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

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UNITED STATES OF AMERICA ex rel.
NASER AREFI, AJITH KUMAR and PRIME
HEALTHCARE SERVICES, INC.,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-01558-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
MARCIA STEIN and RODOLFO BONE,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-05337-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
GLORYANNE BRYANT and VICTORIA
HERNANDEZ,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:18-cv-01347-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

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UNITED STATES OF AMERICA and
STATE OF CALIFORNIA ex rel. MICHAEL
BICOCCA,

Plaintiffs,

v.

PERMANENTE MEDICAL GROUP, INC.,
et al.,

Defendants.

Case No. 3:21-cv-03124-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
JAMES M. TAYLOR,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:21-cv-03894-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-01558-EMC**

Judge: Hon. Edward M. Chen

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On May 5, 2022, the Court granted in part Defendants’ Motion to Dismiss pursuant to the False Claims Act’s First-to-File Bar, dismissing *United States ex rel. Arefi v. Kaiser Foundation Health Plan, Inc.* (Case No. 3:16-cv-01558-EMC) in its entirety. Dkt. No. 171 at 46.

Accordingly, pursuant to the Court’s order dismissing this case, FINAL JUDGMENT is HEREBY ENTERED against the *Arefi* Plaintiffs and in favor of Defendants.

IT IS SO ORDERED AND ADJUDGED.

DATED:

HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE

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 16 UNITED STATES OF AMERICA ex rel.
 RONDA OSINEK,

17 Plaintiff,

18 v.

19 KAISER PERMANENTE, et al.,

20 Defendants.
 21

Case No. 3:13-cv-03891-EMC

**[PROPOSED] FINAL JUDGMENT IN CASE
 NO. 3:21-cv-03124-EMC**

Judge: Hon. Edward M. Chen

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UNITED STATES OF AMERICA ex rel.
NASER AREFI, AJITH KUMAR and PRIME
HEALTHCARE SERVICES, INC.,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-01558-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:21-cv-03124-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
MARCIA STEIN and RODOLFO BONE,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-05337-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:21-cv-03124-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
GLORYANNE BRYANT and VICTORIA
HERNANDEZ,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:18-cv-01347-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:21-cv-03124-EMC**

Judge: Hon. Edward M. Chen

(CAPTION CONTINUED)

1 On May 5, 2022, the Court granted in part Defendants’ Motion to Dismiss pursuant to the
2 False Claims Act’s First-to-File Bar, dismissing *United States ex rel. Bicocca v. Permanente*
3 *Medical Group, Inc.* (Case No. 3:21-cv-03124-EMC) except to the extent it pleads claims based
4 on the California False Claims Act. Dkt. No. 171 at 46. *Bicocca*’s claims under the California
5 False Claims Act were voluntarily dismissed on February 24, 2022. Dkt. No. 159.

6 Accordingly, pursuant to the Court’s order dismissing this case in part and the voluntary
7 dismissal of *Bicocca*’s claims under the California False Claims Act, FINAL JUDGMENT is
8 HEREBY ENTERED against the *Bicocca* Plaintiffs and in favor of Defendants.

9
10 **IT IS SO ORDERED AND ADJUDGED.**

11 DATED:

12 _____
13 HONORABLE EDWARD M. CHEN
14 UNITED STATES DISTRICT JUDGE

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 16 UNITED STATES OF AMERICA ex rel.
 RONDA OSINEK,

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Case No. 3:13-cv-03891-EMC

**[PROPOSED] FINAL JUDGMENT IN CASE
 NO. 3:16-cv-05337-EMC**

Judge: Hon. Edward M. Chen

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UNITED STATES OF AMERICA ex rel.
NASER AREFI, AJITH KUMAR and PRIME
HEALTHCARE SERVICES, INC.,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-01558-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-05337-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
MARCIA STEIN and RODOLFO BONE,

Plaintiff,

v.

KAISER FOUNDATION HEALTH PLAN,
INC., et al.,

Defendants.

Case No. 3:16-cv-05337-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-05337-EMC**

Judge: Hon. Edward M. Chen

UNITED STATES OF AMERICA ex rel.
GLORYANNE BRYANT and VICTORIA
HERNANDEZ,

Plaintiff,

v.

KAISER PERMANENTE, et al.,

Defendants.

Case No. 3:18-cv-01347-EMC

**[PROPOSED] FINAL JUDGMENT IN
CASE NO. 3:16-cv-05337-EMC**

Judge: Hon. Edward M. Chen

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On May 5, 2022, the Court granted in part Defendants’ Motion to Dismiss pursuant to the False Claims Act’s First-to-File Bar, dismissing *United States ex rel. Stein v. Kaiser Foundation Health Plan, Inc.* (Case No. 3:16-cv-05337-EMC) in its entirety. Dkt. No. 171 at 46.

Accordingly, pursuant to the Court’s order dismissing this case, FINAL JUDGMENT is HEREBY ENTERED against the *Stein* Plaintiffs and in favor of Defendants.

IT IS SO ORDERED AND ADJUDGED.

DATED:

HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE