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18 UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
20 SAN FRANCISCO DIVISION

21 UNITED STATES OF AMERICA ex rel.  
22 RONDA OSINEK,

23 Plaintiff,

24 v.

25 KAISER PERMANENTE, et al.,

26 Defendants.

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

) **UNITED STATES' OPPOSITION TO NON-**  
) **PARTY JEFFREY MAZIK'S NOTICE OF**  
) **RELATED ACTION AND CLAIM TO SHARE**  
) **OF SETTLEMENT PROCEEDS (ECF NO. 422)**

27 (caption continued)

28 UNITED STATES' OPPOSITION TO NON-PARTY JEFFREY MAZIK'S NOTICE OF RELATED ACTION & CLAIM  
TO SHARE OF SETTLEMENT PROCEEDS  
No. 3:13-cv-03891-EMC et al.

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

3 Plaintiff,

4 v.

5 KAISER PERMANENTE, INC., et al.,

6 Defendants.

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

) **UNITED STATES’ OPPOSITION TO NON-  
 ) PARTY JEFFREY MAZIK’S NOTICE OF  
 ) RELATED ACTION AND CLAIM TO SHARE  
 ) OF SETTLEMENT PROCEEDS (ECF NO. 422)**

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

10 Plaintiffs,

11 v.

12 KAISER PERMANENTE, et al.,

13 Defendants.

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

) **UNITED STATES’ OPPOSITION TO NON-  
 ) PARTY JEFFREY MAZIK’S NOTICE OF  
 ) RELATED ACTION AND CLAIM TO SHARE  
 ) OF SETTLEMENT PROCEEDS (ECF NO. 422)**

14 Non-Party Jeffrey Mazik, who is the relator in an action pending in the Eastern District of  
 15 California, filed a “Notice of Related Action” on January 15, 2026, purporting to seek a share of the  
 16 proceeds of the settlement of the claims asserted in the United States’ Amended Complaint-in-  
 17 Intervention and as to which the parties recently stipulated to dismissal (ECF No. 421). The United  
 18 States opposes Non-Party Mazik’s attempt to relate his Eastern District of California case and opposes  
 19 his claim to a share of the settlement proceeds.

20 *First*, to the extent Non-Party Mazik’s notice is construed as an administrative motion to  
 21 consider whether cases should be related under Civil L.R. 3-12, it is procedurally defective and without  
 22 jurisdictional basis. Civil L.R. 3-12 governs the determination of related actions and expressly applies  
 23 to “an action, filed in or removed to this district[.]” The action that Non-Party Mazik claims is related,  
 24 *United States ex rel. Mazik v. Kaiser Permanente, Inc., et al.*, No. 19-cv-00559-DAD-KJN (E.D. Cal.),  
 25 is not pending in the Northern District of California and therefore does not fall within the scope of Civil  
 26 L.R. 3-12. Moreover, under Civil L.R. 3-12, a party seeking such a determination must “promptly” file  
 27 an administrative motion, which Non-Party Mazik has not done.

28 UNITED STATES’ OPPOSITION TO NON-PARTY JEFFREY MAZIK’S NOTICE OF RELATED ACTION & CLAIM  
 TO SHARE OF SETTLEMENT PROCEEDS  
 No. 3:13-cv-03891-EMC et al.

1 Even were it pending in this district, the *Mazik* case does not meet the definition of a related case  
2 under Civil L.R. 3-12. The Honorable Dale A. Drozd presides over Non-Party Mazik’s action in the  
3 Eastern District of California. On February 13, 2024, Judge Drozd dismissed the majority of Mr.  
4 Mazik’s claims, finding that Relator James Taylor in the above-captioned consolidated action was first  
5 to file with respect to such claims and permitting Mr. Mazik to proceed only on claims that had not been  
6 already asserted by Relator Taylor in this action. *Mazik*, ECF No. 104.

7 On June 14, 2024, Judge Drozd denied a motion to transfer Mr. Mazik’s action to this district,  
8 concluding:

9 But, because of defendants’ prior motion to dismiss on first-to-file grounds, relator’s  
10 federal FCA claim survives only to the extent that it does not share a material factual  
11 basis with the *Osinek* matters. As the court discussed in its prior order, nothing in the  
*Osinek* matters deals with defendants’ intentional misuse of its own compliance software,  
which is the sole remaining basis of relator’s federal FCA claim in this case.

12 *Mazik*, ECF No. 122, at 17. As the Eastern District of California court explained in rejecting the motion  
13 to transfer, “defendants only filed the pending motion after this court dismissed those of relator’s  
14 allegations that resembled the allegations in the *Osinek* matters.” *Mazik*, ECF No. 122, at 19. Thus,  
15 there is no basis to relate the *Mazik* case in the Eastern District of California to the above-captioned  
16 consolidated action.

17 *Second*, the Court should decline to consider Non-Party Mazik’s claim to a share of the  
18 settlement of the claims asserted in the United States’ Amended Complaint-in-Intervention and as to  
19 which the parties recently stipulated to dismissal (ECF No. 421). Consistent with Judge Drozd’s rulings  
20 granting in part defendants’ motion to dismiss Mr. Mazik’s First Amended Complaint and denying  
21 defendants’ motion to transfer venue, Non-Party Mazik’s claims in his action are outside the scope of  
22 the Joint Stipulation of Dismissal filed by the parties (ECF No. 421) and the January 14, 2026,  
23 Settlement Agreement referenced therein. The settlement and Joint Stipulation of Dismissal do not  
24 release Non-Party Mazik’s pending claims in the Eastern District of California.

25 *Finally*, should the Court seek additional information regarding the settlement of the United  
26 States’ Amended Complaint-in-Intervention, the United States requests that it have 14 days from any  
27 court order for briefing to submit its response.

1 DATED: January 20, 2026

Respectfully submitted,

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5 /s/ Michelle Lo  
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