

1 CHAD A. READLER
Acting Assistant Attorney General, Civil Division
2 SANDRA R. BROWN
Acting United States Attorney
3 DOROTHY A. SCHOUTEN
DAVID K. BARRETT
4 LINDA A. KONTOS
JOHN E. LEE (CBN 128696)
5 Assistant United States Attorneys
300 N. Los Angeles Street, Room 7516
6 Los Angeles, California 90012
Tel: (213) 894-3995; Fax: (213) 894-7819
7 Email: john.lee2@usdoj.gov
MICHAEL D. GRANSTON
8 DANIEL R. ANDERSON
CAROL L. WALLACK
9 JUSTIN DRAYCOTT
JESSICA KRIEG
10 Attorneys, Civil Division
United States Department of Justice
11 P.O. Box 261, Ben Franklin Station
Washington, D.C. 20044
12 Tel: (202) 307-0486; Fax: (202) 307-3852
E-mail: carol.wallack@usdoj.gov
13 JAMES P. KENNEDY, JR.
Acting United States Attorney
14 KATHLEEN ANN LYNCH
Assistant United States Attorney
15 (Admitted Pro Hac Vice)
138 Delaware Avenue
16 Buffalo, New York 14201
Tel: (716) 843-5830; Fax: (716) 551-3052
17 E-mail: kathleen.lynch@usdoj.gov
Attorneys for the United States of America
18

19 UNITED STATES DISTRICT COURT
20 FOR THE CENTRAL DISTRICT OF CALIFORNIA
21 WESTERN DIVISION

22 UNITED STATES OF AMERICA *ex*
23 *rel.* BENJAMIN POEHLING,

24 Plaintiffs,

25 v.

26 UNITEDHEALTH GROUP, INC, *et al.*,

27 Defendants.
28

No. CV 16-08697 MWF (SSx)

ORDER ON CORRECTED NOTICE OF
ELECTION OF THE UNITED STATES
TO PARTIALLY INTERVENE

[FILED CONCURRENTLY HEREWITH:
CORRECTED NOTICE OF ELECTION
OF THE UNITED STATES TO
PARTIALLY INTERVENE]

1 The United States having filed a Corrected Notice of Election of the United States
2 to Partially Intervene in the above-captioned action (“this action”) pursuant to the False
3 Claims Act, 31 U.S.C. § 3730(b)(4),

4 IT IS ORDERED that:

5 1. The Relator’s First Amended Complaint, the Notice of Election of the
6 United States to Intervene in Part and Decline to Intervene in Part and the accompanying
7 Order, and the Corrected Notice of Election of the United States to Partially Intervene
8 and this Order shall remain unsealed.

9 2. All other papers filed or lodged in this matter shall remain under seal.

10 3. The seal shall remain lifted on all matters occurring in this action after
11 February 15, 2017.

12 4. The United States shall file and serve its Complaint in Intervention upon
13 Defendants UnitedHealth Group, Inc. and WellMed Medical Management, Inc., together
14 with this Order, by May 16, 2017.

15 5. The Relator shall file and serve a Second Amended Complaint upon
16 Defendants by May 16, 2017.

17 6. As to the part of the action in which the United States has not intervened at
18 this time, the parties shall serve all pleadings, notices, motions, orders, and other papers
19 hereafter filed in that part of the action, including any supporting memoranda, upon the
20 United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order
21 any deposition transcripts and is entitled to intervene in that part of the action, for good
22 cause, at any time.

1 7. Should the Relator or any of the Defendants propose that the part of the
2 action in which the United States has not intervened be dismissed, settled, or otherwise
3 discontinued, the Relator and the Defendants shall provide the United States with notice
4 of the same and the Court will provide the United States with an opportunity to be heard
5 before the Court rules or grants its approval.

6
7 IT IS SO ORDERED.

8
9 Dated: March 15, 2017

A handwritten signature in black ink, appearing to read "Michael W. Fitzgerald". The signature is written in a cursive, flowing style.

UNITED STATES DISTRICT JUDGE