

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 PAUL PERKINS
Attorneys, Civil Division
11 United States Department of Justice
P.O. Box 261, Ben Franklin Station
12 Washington, D.C. 20044
Tel: (202) 307-0486; Fax: (202) 307-3852
13 E-mail: carol.wallack@usdoj.gov
JAMES P. KENNEDY, JR.
14 Acting United States Attorney
KATHLEEN ANN LYNCH
15 Assistant United States Attorney (Admitted PHV)
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)

NOTICE OF FILING IN CV 09-5013 OF
MOTION FOR ORDER
CONSOLIDATING ACTIONS

1 PLEASE TAKE NOTICE that, on March 27, 2017, the United States of America
2 filed in *United States ex rel. Swoben v. Secure Horizons*, CV 09-5013-JFW (JEMx) (the
3 “Swoben action”), which is before Judge Walter, a Motion for Order Consolidating the
4 Swoben action with *United States ex rel. Poehling v. UnitedHealth Group, Inc.*, CV 16-
5 8697-MWF (SSx), which is before this Court.

6 A true and correct copy of the Notice of Motion and Motion filed in the Swoben
7 action is attached hereto as Exhibit 1.

8 Dated: March 27, 2017

Respectfully submitted,

9 CHAD A. READLER

Acting Assistant Attorney General, Civil Division

10 SANDRA R. BROWN

Acting United States Attorney

11 DOROTHY A. SCHOUTEN

Chief, Civil Division

12 DAVID K. BARRETT

Chief, Civil Fraud Section

13 LINDA A. KONTOS

Deputy Chief, Civil Fraud Section

14 Assistant United States Attorneys

15 MICHAEL D. GRANSTON

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PAUL PERKINS

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United States Department of Justice

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21 Assistant United States Attorney

22 /S/ John E. Lee

23

JOHN E. LEE

24 Assistant United States Attorney

25 Attorneys for the United States of America

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JESSICA KRIEG
PAUL PERKINS
Attorneys, Civil Division
United States Department of Justice
P.O. Box 261, Ben Franklin Station
Washington, D.C. 20044
Tel: (202) 307-0486; Fax: (202) 307-3852
E-mail: carol.wallack@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

UNITED STATES OF AMERICA *ex*
rel. JAMES M. SWOBEN,

Plaintiffs,

v.

SECURE HORIZONS, a business entity,
form unknown, *et al.*,

Defendants.

No. CV 09-5013 JFW (JEMx)

UNITED STATES' NOTICE OF
MOTION AND MOTION FOR ORDER
CONSOLIDATING ACTIONS

[FILED/LODGED CONCURRENTLY:
MEMORANDUM OF POINTS AND
AUTHORITIES; DECLARATION;
[PROPOSED] ORDER]

DATE: May 1, 2017
TIME: 1:30 p.m.
COURT: Hon. John F. Walter

1 PLEASE TAKE NOTICE that, on May 1, 2017, at 1:30 p.m., or as soon thereafter
2 as the matter may be heard, in the courtroom of the Honorable John F. Walter, United
3 States District Judge, Courtroom 7A, United States Courthouse, 350 W. 1st Street, Los
4 Angeles, California 90012, the United States of America will and hereby does move for
5 an order consolidating *United States ex rel. Swoben v. Secure Horizons*, CV 09-5013-
6 JFW (JEMx) (the “*Swoben* action”), and *United States ex rel. Poehling v. UnitedHealth*
7 *Group, Inc.*, CV 16-8697-MWF (SSx) (the “*Poehling* action”).

8 This motion is and will be made on the grounds that consolidation is warranted
9 pursuant Rule 42(a) of the Federal Rules of Civil Procedure because the *Swoben* action
10 and the *Poehling* action involve common questions of law or fact and because
11 consolidation is otherwise warranted.

12 This motion is based upon the accompanying memorandum of points and
13 authorities, declaration and exhibits, the pleadings and other papers on file herein, and
14 such argument and evidence as may be presented in connection with the hearing of this
15 motion.

16 This motion is made following the conference of counsel pursuant to L.R. 7-3
17 which took place on March 14, 2017.

1 Dated: March 27, 2017

Respectfully submitted,

2 CHAD A. READLER

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3 SANDRA R. BROWN

Acting United States Attorney

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Assistant United States Attorney

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12 Attorneys, Civil Division

United States Department of Justice

13
14 /S/ John E. Lee

15

JOHN E. LEE

Assistant United States Attorney

16 Attorneys for the United States of America