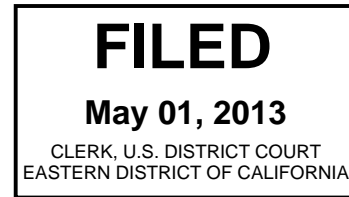


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9 UNITED STATES DISTRICT COURT FOR THE
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA AND STATE
OF CALIFORNIA *ex rel.* HECTOR LUQUE
12 AND ALEJANDRO GONZALEZ,

13 Plaintiffs,

14 v.

15 ADVENTIST HEALTH, WHITE MEMORIAL
MEDICAL CENTER, AND GLENDALE
16 ADVENTIST MEDICAL CENTER,

17 Defendants.

Case No. 2:08 - CV - 1272 MCE DAD

THE UNITED STATES' NOTICE OF
INTERVENTION FOR SETTLEMENT

FILED UNDER SEAL

18
19 The United States of America, by and through its undersigned attorneys, hereby provides this
20 written notice to the Court that it is intervening in this action, pursuant to 31 U.S.C. § 3730(b), for the
21 sole purpose of joining with relators Hector Luque and Alejandro Gonzalez (Relators) to file, in the near
22 future, a stipulation of dismissal of Relators' *qui tam* Complaint ("Complaint").

23 A Settlement Agreement between the parties has been executed by all parties, save the Chief
24 Deputy Director of California's Medi-Cal Program; the undersigned expects to receive this final
25 signature tomorrow. Under the terms of the Settlement Agreement, the United States, Relators, and
26 California will file a Joint Stipulation of Dismissal of the Complaint, pursuant to Fed. R. Civ. P. 41(a)(1)

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1 after settling defendants have fulfilled certain conditions precedent. We anticipate filing such dismissal
2 as soon as we receive confirmation of performance, which we expect to occur within 30 days.

3 The United States requests that Relators' Complaint, California's Notice of Intervention, along
4 with this Notice of Intervention and the Court's Order thereon, be unsealed. The United States further
5 requests that all other previously-filed contents of the Court's file in this matter (including, but not
6 limited to, any applications filed by the United States for an extension of the investigative period,
7 notices, briefs, memoranda, supporting documents, applications for partial lifting of the seal, any orders
8 previously entered in this matter and responses thereto) remain under seal and not be made public or
9 served upon the Defendants.

10 A proposed order accompanies this notice.

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13 DATED: May 1, 2013

Respectfully Submitted,

14 BENJAMIN B. WAGNER
15 United States Attorney
Eastern District of California

16
17 By: /s/ Catherine J. Swann
18 CATHERINE J. SWANN
Assistant U.S. Attorney