

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA, *ex rel.*,
Trapper Buttgenbach,

Plaintiff,

Civil Action No. 15-1115

v.

MCPHERSON CARE CENTER, LLC, *et al.*

Defendants.

ORDER

The United States has declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B). Accordingly, it is ordered that:

1. The Complaint (Doc. 1), this order, and the United States' Notice of Election to Decline Intervention (Doc. 9), shall be unsealed and be served on the Defendants by the relator.

2. The United States' motions to extend the intervention deadline and the corresponding orders (Docs. 5, 6, 7, and 8) shall remain or be designated as *ex parte* and not be made public or served on either the relator or the Defendants;

3. The seal shall be lifted as to all other matters occurring in this action after the date of this Order;

4. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, on the United States, as provided for in 31 U.S.C. § 3730(c)(3). The

United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

5. The parties shall serve all notices of appeal on the United States;

6. All orders of this Court shall be sent to the United States; and that

7. Should the relator or the Defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will solicit the written consent of the United States before ruling or granting its approval.

IT IS SO ORDERED.

Dated January 18, 2016, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
United States Magistrate Judge