

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES, *ex rel.*  
BASHER S. AWAD, *et al.*

Plaintiff,

v.

Case No. 16-2034-CM

COFFEY HEALTH SYSTEM

Defendant.

**ORDER**

The United States of America has now intervened in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4), for the purpose of settlement (ECF No. 22). With the United States' intervention, and at its request,

**IT IS ORDERED** that the case and the Complaint (ECF No. 1), the Civil Cover Sheet (ECF No. 2), the Notice of Intervention for the Purpose of Settlement (ECF No. 22) and this order be unsealed. All other documents shall remain or be designated *ex parte* and under seal. Future filings shall not be under seal absent a showing and the approval of the court.

**IT IS FURTHER ORDERED** that, within five days of the United States' receipt from Defendants of the \$50,000.00 Upfront Payment as described in Paragraph 1 of the Settlement Agreement, the parties shall file a joint stipulation of dismissal. This dismissal shall be with prejudice as to the United States for the Covered Conduct described in Paragraph D of the Settlement Agreement, and without prejudice as to the United States for all other claims. This dismissal shall be with prejudice as to all of the Relator's claims, except for Relator's claim for attorneys' fees under 31 U.S.C. § 3730(d)(1), which the Relator shall dismiss separately within five days of receipt of the resolution of the claim described in Paragraph 3 of the Settlement Agreement.

**IT IS SO ORDERED.**

Dated May 24, 2019.

s/ James P. O'Hara  
James P. O'Hara  
U.S. Magistrate Judge