

ORIGINAL

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 CENTRAL DISTRICT OF CALIF.
 LOS ANGELES

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9 Attorneys for the
 10 UNITED STATES OF AMERICA

11
 12 UNITED STATES DISTRICT COURT
 13 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION
 15

16 UNITED STATES OF AMERICA and)
 STATE OF CALIFORNIA, ex rel.)
 17 [UNDER SEAL];)

18 Plaintiffs,)

19 v.)

20 [UNDER SEAL],)

21 Defendants.)
 22)
 23)

NO. CV 09-5013 JFW (JEMx)

JOINT NOTICE [SEALED]

[FILED UNDER SEAL pursuant to
 False Claims Act, 31 U.S.C.
 § 3730(b)(2)]

[FILED OR LODGED CONCURRENTLY
 HERewith: [PROPOSED] ORDER
 [SEALED]; NOTICE OF LODGING
 [SEALED]]

[LODGED CONCURRENTLY HERewith,
 BUT DEEMED BY THE PARTIES TO BE
 LODGED AFTER THIS DOCUMENT:
 NOTICE OF [SEALED]]

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 14 WESTERN DIVISION

15
 16 UNITED STATES OF AMERICA and) NO. CV 09-5013 JFW (JEMx)
 STATE OF CALIFORNIA, ex rel.)
 17 [UNDER SEAL];) JOINT NOTICE [SEALED]
)
 18 Plaintiffs,) [FILED UNDER SEAL pursuant to
) False Claims Act, 31 U.S.C.
 19 v.) § 3730(b)(2)]
)
 20 [UNDER SEAL],) [FILED OR LODGED CONCURRENTLY
) HEREWITH: [PROPOSED] ORDER
 21 Defendants.) [SEALED]; NOTICE OF LODGING
) [SEALED]
 22)
 23) [LODGED CONCURRENTLY HEREWITH,
 BUT DEEMED BY THE PARTIES TO BE
 24 LODGED AFTER THIS DOCUMENT:
 NOTICE OF [SEALED]]
 25
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1 ANDRÉ BIROTTE JR.
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 10 UNITED STATES OF AMERICA

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

16 UNITED STATES OF AMERICA and)
 STATE OF CALIFORNIA, ex rel.)
 17 JAMES M. SWOBEN,)
)
 18 Plaintiffs,)
)
 19 v.)
)
 20 SCAN HEALTH PLAN, a California)
 corporation, fka SENIOR CARE)
 21 ACTION NETWORK; SENIOR CARE)
 ACTION NETWORK, a business)
 22 entity, form unknown; SCAN)
 GROUP, a California corporation;)
 23 [NAMES OF REMAINING DEFENDANTS)
 SEALED],)
 24)
 Defendants.)

NO. CV 09-5013 JFW (JEMx)
 JOINT NOTICE BY THE UNITED STATES OF AMERICA AND THE STATE OF CALIFORNIA OF ELECTION TO INTERVENE IN PART
 [FILED UNDER SEAL pursuant to False Claims Act, 31 U.S.C. § 3730 (b) (2)]
 [FILED OR LODGED CONCURRENTLY HERewith: [PROPOSED] ORDER REGARDING PARTIAL INTERVENTION AND PARTIAL UNSEALING; NOTICE OF LODGING REDACTED RELATOR'S THIRD AMENDED COMPLAINT]
 [LODGED CONCURRENTLY HERewith, BUT DEEMED BY THE PARTIES TO BE LODGED AFTER THIS DOCUMENT: NOTICE OF DISMISSAL OF ALL CLAIMS AGAINST DEFENDANTS SCAN HEALTH PLAN, SENIOR CARE ACTION NETWORK, AND SCAN GROUP PURSUANT

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TO SETTLEMENT AGREEMENT;
CONSENTS OF THE UNITED STATES
AND STATE OF CALIFORNIA
ATTORNEYS GENERAL THERETO; AND
[PROPOSED] ORDER THEREON]


Pursuant to the federal False Claims Act, 31 U.S.C. § 3730(b)(4), and the California False Claims Act, Cal. Gov't Code § 12652(c)(6), the United States of America and the State of California ("the governments") hereby notify the Court of their election to partially intervene, for purposes of settlement and dismissal, in the above-captioned action to the extent it is filed against SCAN Health Plan; Senior Care Action Network; and SCAN Group.

Pursuant to the federal False Claims Act, 31 U.S.C. § 3730(b)(2)-(4), and the California False Claims Act, California Government Code § 12652(c)(2), (5), and (6), the governments respectfully request that the Court issue the [Proposed] Order Regarding Partial Intervention and Partial Unsealing, lodged herewith.

Respectfully submitted,

DATED: August 15 2012

ANDRÉ BIROTTE JR.
United States Attorney
LEON W. WEIDMAN
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WENDY L. WEISS
Chief, Civil Fraud Section
SUSAN R. HERSHMAN
Deputy Chief, Civil Fraud Section



JOHN E. LEE
Assistant United States Attorney

Attorneys for the
UNITED STATES OF AMERICA

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Respectfully submitted,

DATED: August 2, 2012

KAMALA D. HARRIS
Attorney General of California
BRIAN V. FRANKEL
Supervising Deputy Attorney General



LORA FOX MARTIN
Deputy Attorney General

Attorneys for the
STATE OF CALIFORNIA

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Date of mailing: August 17, 2012.

Place of mailing: Los Angeles, California.

Person(s) and/or Entity(ies) to whom mailed:

See attached service list.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on August 17, 2012 at Los Angeles, California.



ANGELA M. FIORE

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