

FILED

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

2015
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UNITED STATES OF AMERICA
ex rel. SHAWN PELLETIER,

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

Plaintiff,

v.

Case No. 3:11-cv-587-J-32MCR

LIBERTY AMBULANCE SERVICE, INC.,
SOUTHERN BAPTIST HOSPITAL OF
FLORIDA, INC., MEMORIAL HEALTHCARE
GROUP, INC., ORANGE PARK MEDICAL
CENTER, INC., and SHANDS
JACKSONVILLE MEDICAL CENTER, INC.,

FILED UNDER SEAL

Defendants.

GOVERNMENT'S NOTICE OF ELECTION TO PARTIALLY INTERVENE FOR PURPOSES OF SETTLEMENT AND PARTIALLY INTERVENE FOR PURPOSES OF LITIGATION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court of its intention to intervene for the purposes of settlement pursuant to 31 U.S.C. § 3730(c), as set forth herein.

1. On June 17, 2011, Relator served the complaint and disclosure of material evidence on the Attorney General and the United States Attorney for the Middle District of Florida.
2. The United States has sought several extensions of the investigative period to conduct its investigation and make a determination as to intervening in this matter.
3. During the course of its investigation, the United States entered into settlement negotiations with several of the Defendants in an attempt to resolve the matter without further litigation.

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4. In February and March 2015, the United States has reached an amicable resolution of this matter with the following defendants: Memorial Medical Care Group, Inc., Orange Park Medical Center, Inc., Southern Baptist Hospital of Florida and Shands Jacksonville Medical Center, Inc. The parties are in the process of preparing and finalizing the pertinent settlement agreements. The United States contemplates that once the settlement agreements are finalized, the United States and the Relator will file, pursuant to Fed. R. Civ. P. 41(a)(1), a joint stipulation of dismissal of the *qui tam* complaint with prejudice.

5. The government has been unsuccessful in reaching settlement with one defendant: Liberty Ambulance Service, Inc. The government hereby informs the Court of its intention to formally intervene in this litigation with respect to that defendant.

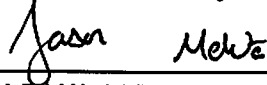
With the exception of the Relators' complaint, this Notice, and any Order entered in connection with this Notice, the Government requests that all other previously filed contents of the Court's file in this matter (including, but not limited to any applications filed by the United States for an extension of the sixty-day investigative period and legal memoranda in support thereof) should remain under seal and not be made public or served upon the defendant.

A proposed order accompanies this Notice.

Dated this 6th day of March, 2015.

Respectfully submitted,

A. LEE BENTLEY
United States Attorney



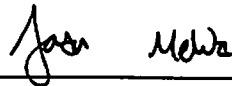
JASON PAUL MEHTA
Assistant United States Attorney
USA Number #142
300 North Hogan Street, Suite 700
Jacksonville, Florida 32202
Telephone: (904) 301-6300
Facsimile: (904) 301-6310
jason.Mehta@usdoj.gov

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 6, 2014, a true copy of the foregoing was served by United States mail, first class postage prepaid, upon the following persons:

George K. Brew, Esquire
Law Office of George K. Brew
6817 Southpoint Parkway, Suite 1804
Jacksonville, FL 32216

Pursuant to 31 U.S.C. § 3730(b)(2), the matter is under seal and therefore the Defendant will not be served with this pleading.



JASON P. MEHTA
Assistant United States Attorney