

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Civil Action No. 12-cv-01569-WYD

UNITED STATES OF AMERICA, *ex rel.*

JERYL McGAW, N.D., Relator,
and
RICHARD DELLA PENNA, M.D., Relator,

Plaintiffs,

v.

THE PERMANENTE FEDERATION, LLC, a corporation; THE PERMANENTE MEDICAL GROUP, INC., a corporation; KAISER FOUNDATION HEALTH PLAN, INC., a corporation; KAISER FOUNDATION HOSPITALS, INC., a corporation; THE SOUTHERN CALIFORNIA PERMANENTE MEDICAL GROUP, a partnership; KAISER FOUNDATION HEALTH PLAN OF COLORADO, a corporation; COLORADO PERMANENTE MEDICAL GROUP, P.C., a corporation; KAISER FOUNDATION HEALTH PLAN OF GEORGIA, INC., a corporation; THE SOUTHEAST PERMANENTE MEDICAL GROUP, INC., a corporation,

Defendants.

PLAINTIFF-RELATORS' MOTION TO DISMISS WITH PREJUDICE

Plaintiff-Relators, Jeryl McGaw, N.D. and Richard Della Penna, M.D., by and through their undersigned attorneys, CROSS & BENNETT, L.L.C., having been informed of the Government's decision not to intervene in this case, and having conferred with counsel for Defendants, move to dismiss with prejudice all claims in this case.

Respectfully submitted this 5th day of June, 2014.

CROSS & BENNETT, L.L.C.

By: /s/ Keith F. Cross
KEITH F. CROSS, #8934

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of June, 2014 I caused to be served and delivered via electronic mail a true and correct copy of the foregoing to the following addresses:

Edwin G. Winstead, Esquire
edwin.winstead@usdoj.gov

s. Keith F. Cross