



DaPolito v. Applied Memetics, LLC et al

2023 | Cited 0 times | D. Vermont | June 16, 2023

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Defen~ants.

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York, UNITED ST ATES DISTRICT COURT 16

FOR THE DISTRICT OF VERMONT UNITED STATES OF AMERICA,) ex rel. DAPOLITO)

Plaintiff!Relator,)

v.)

APPLIED MEMETICS, LLC, AM TRACE,) LLC, and AM, LLC,)

FILED UNDER SEAL Case No. 5:21-cv-270-gwc

ORDER The United States having declined to intervene in this action pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), and the States of California, Florida, Minnesota, New York, Tennessee, and Vermont, having declined to intervene in this action pursuant to the California False Claims Act, Gov'T CODE§ 12652(c)(6)(B), the Florida False Claims Act, FLA. STAT.§ 68.083(6)(b), the Minnesota False Claims Act, STAT. § 15C.06(a), the New York False Claims Act, N.Y. State Fin. Law, Art. 13, § 190(2)(f), the Tennessee False Claims Act, TENN. CODE ANN.§ 4-18-104(c)(6)(b), and the Vermont False Claims Act, 32 V.S.A. § 632(b)(5)(B), the Court hereby ORDERS that: 1. the Complaint be unsealed and served on the defendant by the relator; 2. all other contents of the Court's file in this action shall remain under seal and not be

made public or served upon the defendant, except for this Order and the Joint Notice of Election to Decline Intervention of the United States and the States of California, Florida,. Minnesota, New



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Tennessee, and Vermont, which the relator shall serve on the defendant only after effecting service of the Complaint;

----- 3. the seal 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, upon the United States and the States of California, Florida, Minnesota, New York, Tennessee, and Vermont, as provided for by 31 U.S.C. § 3730(c)(3), and each of the State False Claims Acts. The United States and the States of California, Florida, Minnesota, New York, Tennessee, and Vermont, may order any deposition transcripts and are entitled to intervene in this action, for good cause shown, at any time; 5. the parties shall serve all notices of appeal upon the United States and the States of

California, Florida, Minnesota, New York, Tennessee, and Vermont; 6. all Orders of this Court shall be sent to the United States and the States of California,

Florida, Minnesota, New York, Tennessee, and Vermont; and 7. should the relator or the defendant propose that this action be dismissed, settled, or

otherwise discontinued, the Court will solicit the written consent of the United States and the States of California, Florida, Minnesota, New York, Tennessee, and Vermont, and provide the United States and the States an opportunity to be heard on the matter, before ruling or granting its approval.

IT IS SO ORDERED.

Dated:

16 June 2023

HON. GEOFFREY W. CRAWFORD Chief Judge, United States District Court

