UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

WESTERN DIVISION

UNITED STATES OF AMERICA and STATE OF CALIFORNIA *ex rel.* MARTIN MANSUKHANI, Plaintiffs, v. PRIME HEALTHCARE SERVICES, INC.; PRIME HEALTHCARE FOUNDATION, INC.; PRIME HEALTHCARE MANAGEMENT, INC.; DESERT VALLEY HOSPITAL; HIGH DESERT HEART VASCULAR INSTITUTE, a California Professional Medical Corporation; PREM REDDY, M.D., FACC; HIGH DESERT HEART INSTITUTE MEDICAL CORPORATION; A&A SURGERY CENTER, a Medical Corporation; SIVA ARUNASALAM, M.D.; and SIVA ARUNASALAM, M.D., a Professional Medical Corporation, Defendants.	No. 5:18-cv-00371-RGK-SHK CONSENT JUDGMENT

Qui tam plaintiff Martin Mansukhani ("Relator"); real party in interest the United States of America, acting through the United States Department of Justice and on behalf of the Office of Inspector General ("HHS-OIG") of the Department of Health and Human Services ("HHS") (collectively, the "United States"); real party in interest the State of California ("California"); and defendants Siva Arunasalam, M.D., an individual, and Siva Arunasalam, M.D., a Professional Medical Corporation (collectively, "Dr. Siva"), through their respective counsel, have submitted a Stipulation for Entry of Consent Judgment Against Defendants Siva Arunasalam, M.D., an individual, and Siva Arunasalam, M.D., a Professional Medical Corporation (the "Stipulation").

Pursuant to the Stipulation and Federal Rule of Civil Procedure 58, and good cause appearing, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS FOLLOWS:

1. Pursuant to a Settlement Agreement entered into by the United States, California, Relator, and Dr. Siva (the "Parties") on June 1, 2021 (the "Effective Date"), Dr. Siva shall pay to the United States and California a total of $2,000,000.00 (the "Settlement Amount"), of which $1,000,000.00 is restitution, plus applicable interest as described below. Dr. Siva shall pay the following amounts to the United States and California under the following terms and conditions:
    a. No later than ten (10) business days after the Effective Date of the Settlement Agreement, Dr. Siva shall pay the United States $95,000.00;
    b. No later than ten (10) business days after the Effective Date of the Settlement Agreement, Dr. Siva shall pay California $5,000.00;
    c. No later than 180 calendar days after the Effective Date of the Settlement Agreement, Dr. Siva shall pay the United States $1,805,000 plus accrued interest at a rate of 0.75% simple annual interest from the Effective Date of the Settlement Agreement;

d. No later than 180 calendar days after the Effective Date of the Settlement Agreement, Dr. Siva shall pay California $95,000.00 plus accrued interest at a rate of 0.75% simple annual interest from the Effective Date of the Settlement Agreement;

e. The above defined payments to the United States (the "Federal Settlement Amount") shall be made by electronic funds transfer pursuant to written instructions provided by the Office of the United States Attorney for the Central District of California;

f. The above defined payments to California (the "California Settlement Amount") shall be made by electronic funds transfer pursuant to written instructions provided by the California Attorney General's Office; and

g. The above-defined payments may be prepaid, in whole or in part, without penalty.

2. As long as Dr. Siva makes the payments in the full amounts, and on or before the specified dates as set forth in Paragraph 1 above, neither the United States nor California shall execute on the Consent Judgment. But if Dr. Siva fails to make any payment as ordered in Paragraph 1, then (a) the full Settlement Amount shall be immediately due and payable, (b) the United States shall have the right to immediately execute on the Consent Judgment for the full remaining unpaid balance of the Federal Settlement Amount, (c) California shall have the right to immediately execute on the Consent Judgment for the full remaining unpaid balance of the California Settlement Amount, and (d) Dr. Siva shall be liable to the United States and California for all costs, fees, and expenses, including but not limited to attorney's fees, incurred by the United States and California in connection with enforcing this Consent Judgment.

3. In the event that Dr. Siva fails to pay any amount as provided in Paragraph 1 within ten (10) business days of the date on which such payment is due, Dr. Siva shall be in default of his payment obligations ("Default"). In the event of such Default, HHS-OIG may exclude Dr. Siva from participating in all federal health care programs until Dr. Siva pays the full Settlement Amount and reasonable costs, fees, and expenses as set forth above. HHS-OIG will provide written notice of any such exclusion to Dr. Siva. Dr. Siva waives any further notice of the exclusion under 42 U.S.C. § 1320a-7(b)(7) and agrees not to contest such exclusion either administratively or in any state or federal court. Reinstatement to program participation is not automatic. If at the end of the period of exclusion Dr. Siva wishes to apply for reinstatement, Dr. Siva must submit a written request for reinstatement to HHS-OIG in accordance with the provisions of 42 C.F.R. §§ 1001.3001-3005. Dr. Siva will not be reinstated unless and until HHS-OIG approves such request for reinstatement.

4. This Court shall retain jurisdiction to adjudicate disputes arising under this Consent Judgment.

IT IS SO ORDERED.

Dated: June 17, 2021

Gary Klausner

UNITED STATES DISTRICT JUDGE
HON. R. GARY KLAUSNER

Respectfully presented, and approved as to form and content by:

THE UNITED STATES OF AMERICA

DATED: __May 18, 2021

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