

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
CENTRAL DIVISION
FRANKFORT

Eastern District of Kentucky

FILED

SEP 10 2018

AT FRANKFORT
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

CIVIL ACTION NO. 3:15-CV-39-GFVT

UNITED STATES OF AMERICA
ex rel. **MICHAEL RADER,**

PLAINTIFF,

v.

CALLOWAY LABORATORIES, INC., et al.,

DEFENDANTS.

AGREED JUDGMENT AND ORDER

WHEREAS, the United States of America ("United States"), Defendant Calloway Laboratories, Inc. ("Calloway"), and Relator Michael Rader ("Relator") have negotiated a settlement; and

WHEREAS, as part of the negotiated settlement, Calloway, pursuant to Federal Rules of Civil Procedure 41 and 54 and by and through counsel, has consented to entry of judgment against Calloway and in favor of the United States in the amount of \$1,374,058 with respect to allegations that Calloway violated the False Claims Act, 31 U.S.C. § 3729(a)(1)(a), by submitting false claims for payment to the United States during the period May 29, 2014 to November 20, 2014, for urine drug testing referred by physicians who received from Calloway free buprenorphine test strips; and

WHEREAS, Relator has agreed that upon entry of such judgment, the remaining allegations in the Amended Complaint asserted against Defendants shall be dismissed with


prejudice as to Relator and without prejudice as to the United States, and the United States has given its consent to this dismissal;

WHEREFORE, the Court finding no just reason for delay, it is hereby **ORDERED** that:

- (1) a final judgment in this matter is entered in favor of the United States and against Calloway in the amount of \$1,374,058 with respect to allegations that Calloway violated the False Claims Act, 31 U.S.C. § 3729(a)(1)(a), by submitting false claims for payment to the United States during the period May 29, 2014 to November 20, 2014, for urine drug testing referred by physicians who received from Calloway free buprenorphine test strips; and
- (2) the remaining allegations in the Amended Complaint asserted against Defendants shall be and are hereby **DISMISSED** with prejudice as to Relator and without prejudice as to the United States.

This the 6th of September, 2018.



Signed By: 
Gregory F. Van Tatenhove
United States District Judge

Hon. Gregory F. Van Tatenhove
United States District Court
Eastern District of Kentucky