

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
LOUISVILLE DIVISION**

UNITED STATES OF AMERICA )  
)  
Plaintiff, )  
)  
v. )  
)  
MD2U HOLDING COMPANY; )  
)  
MD2U, PLLC; )  
)  
MD2U KENTUCKY, LLC; )  
)  
MD2U INDIANA, LLC; )  
)  
MD2U FLORIDA, LLC; )  
)  
MD2U OHIO, LLC; )  
)  
MD2U LOUISIANA, LLC; )  
)  
MD2U NORTH CAROLINA, LLC; )  
)  
MD2U TENNESSEE, LLC; )  
)  
MD2U WEST VIRGINIA, LLC; )  
)  
MD2U MANAGEMENT, LLC; )  
)  
MD2U FRANCHISING, LLC; )  
)  
MD2U IAH, LLC; )  
)  
J. MICHAEL BENFIELD, M.D.; )  
)  
GREG LATTA; AND )  
)  
KAREN LATTA )  
)  
Defendants. )  
\_\_\_\_\_ )

Civil Action No. \_\_\_\_\_

**STIPULATION AND ORDER**

WHEREAS, the United States of America, on behalf of the Office of Inspector General (OIG-HHS) of the Department of Health and Human Services (HHS) (United States) commenced this action by filing a complaint in this Court (the “Complaint”) against J. Michael Benfield, M.D.; Greg Latta; and Karen Latta (collectively referred to as the “Individual Defendants”) and MD2U Indiana, LLC; MD2U, PLLC; MD2U Florida, LLC; MD2U Kentucky, LLC; MD2U Ohio, LLC; MD2U Louisiana, LLC; MD2U North Carolina, LLC; MD2U Tennessee, LLC; MD2U West Virginia, LLC; MD2U Management, LLC; MD2U Franchising, LLC; MD2U IAH, LLC; and MD2U Holding Company (collectively referred to as “MD2U” or the “Corporate Defendants”) under the False Claims Act;

WHEREAS the United States contends that the Corporate Defendants and the Individual Defendants submitted or caused to be submitted claims for payment to the Medicare Program, Title XVIII of the Social Security Act, 42 U.S.C. §§ 1395-1395kkk-1 (Medicare) and the Railroad Retirement Medicare Program administered under the Railroad Retirement Act of 1974, 45 U.S.C. §§ 231-231v, by the United States Railroad Retirement Board (Medicare and the Railroad Retirement Medicare Program shall hereinafter be collectively referred to as the “Government Health Care Programs”) arising from the Corporate Defendants and the Individual Defendants (1) knowingly submitting or causing the submission of false or fraudulent claims to the Government Health Care Programs; (2) knowingly making, using, or causing to be made or used, false records or statements to get false or fraudulent claims to the Government Health Care Programs allowed; and (3) conspiring to defraud the Government Health Care Programs by getting a false or fraudulent claims allowed or paid;

WHEREAS, the United States contends that it has certain civil claims against the Individual Defendants and Corporate Defendants (the Individual Defendants and Corporate Defendants will collectively be referred to herein as “Defendants”) under the False Claims Act,