UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA *ex rel.* ALEXANDRA POOLE, Plaintiff, v. THE RENSSELAERVILLE INSTITUTE, INC. and RODNEY M. FULLER, Defendants.	)	No. 21-cv-943 (MAD/ATB) **FILED UNDER SEAL**

UNITED STATES' NOTICE OF ELECTION TO INTERVENE IN PART AND TO DECLINE TO INTERVENE IN PART

Pursuant to the False Claims Act, 31 U.S.C. §§ 3730(b)(2) and (4), the United States notifies the Court that it hereby (a) intervenes in that part of this action alleging that The Rensselaerville Institute, Inc. (TRI) violated the False Claims Act in connection with its application for and receipt of Paycheck Protection Program funds, and (b) declines to intervene with respect to all allegations against Rodney M. Fuller.

Together with this notice, the United States is filing a settlement agreement that it has entered with TRI and the Relator. That agreement requires TRI to make payment to the United States, after which the parties will file a joint partial stipulation of dismissal pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure. Upon dismissal, the only claims that will remain pending are Relator's claims for expenses, attorneys' fees, and costs pursuant to 31 U.S.C. § 3730(d), and for retaliation pursuant to 31 U.S.C. § 3730(h).

The United States requests that the Court unseal all filings in this action except for the documents associated with docket entries 7 and 9, which constitute the United States' *ex parte*

applications for extensions of the seal period. These applications should remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this Notice.

Respectfully submitted,

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/s/ Adam J. Katz
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