

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA, <i>ex rel.</i>	§	
PAUL PIETSCHNER,	§	
	§	
Plaintiff,	§	Civil Action No. 4:21-cv-110-SDJ
	§	
v.	§	
	§	
KATHRYN PETRALIA; ROBERT	§	
FROHWEIN; and SPENCER	§	
ROBINSON,	§	
	§	
Defendants.	§	

THE UNITED STATES' NOTICE OF INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court that it hereby intervenes and intends to proceed with this action as to the three remaining defendants Kathryn Petralia, Robert Frohwein, and Spencer Robinson. The United States intends to file its complaint within 90 days of this notice.

The Government requests that the relator's Complaint (Docket No. 1), the Joint Stipulation of Dismissal as to Kabbage, Inc. (Docket No. 30), the Order of Dismissal as to Kabbage, Inc. (Docket No. 31), this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action 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.

The United States reserves the right to seek the dismissal of the relator's action or claim on any appropriate grounds, including under 31 U.S.C. § 3730(b)(5) and (e)(4).

A proposed order accompanies this notice.

Date: August 26, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

DAMIEN M. DIGGS
United States Attorney
Eastern District of Texas

/s/ Betty Young
BETTY S. YOUNG, Texas Bar #24102498
Assistant U.S. Attorney
Eastern District of Texas
Texas State Bar # 24102498
110 N. College Street; Suite 700
Tyler, Texas 75702
E-mail: Betty.Young@usdoj.gov
(903) 590-1400
(903) 590-1436 (fax)

/s/ Sarah Loucks
JAMIE A. YAVELBERG
COLIN M. HUNTLEY
SARAH E. LOUCKS
Attorneys, Civil Division
United States Department of Justice
P.O. Box 261
Ben Franklin Station
Washington, D.C. 20044
Email: Sarah.E.Loucks@usdoj.gov
(202) 616-2921

**ATTORNEYS FOR THE
UNITED STATES OF AMERICA**

CERTIFICATE OF SERVICE

I hereby certify on this 26th day of August 2024, I caused copies of the United States' Notice of Intervention to be served by electronic mail on:

Sarah Frazier
Law Office of Sarah Frazier, PLLC
1919 Decatur Street
Houston, TX 77007
Telephone: (346) 283-9158
sarah@sarahfrazierlaw.com

Julie Bracker
Bracker & Marcus LLC
3225 Shallowford Road, Suite 1120
Marietta, Georgia 30062
Telephone: (770) 988-5035
Facsimile: (678) 648-5544
Julie@fcacounsel.com

Because this action is under seal pursuant to 31 U.S.C. §§ 3729–3733, Defendants have not been served with copies of the foregoing Notice of Intervention.

/s/ Betty Young
BETTY YOUNG