IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America *ex rel.* Wade Riner,

Plaintiff-Relator,

v.

Recreation Centers of Sun City West, Inc., *et al.*,

Defendants.

No. 2:22-cv-01421-ROS

ORDER RE THE UNITED STATES OF AMERICA'S NOTICE OF DECLINATION AS TO CERTAIN DEFENDANTS AND NOTICE OF INTERVENTION FOR SETTLEMENT PURPOSES AS TO DEFENDANT BRIARWOOD COUNTRY CLUB, INC.

The Court having reviewed the United States' Notice of Election to Decline Intervention as to Certain Defendants (Doc. 14) pursuant to 31 U.S.C. § 3730(b)(4)(B) and the United States' Notice of Election to Intervene for Settlement Purposes as to Defendant Briarwood Country Club, Inc. (Doc. 13) pursuant to 31 U.S.C. § 3730(b)(2), (3), and (4), and being fully advised of the record, it is hereby

ORDERED AND ADJUDGED AS FOLLOWS:

1. The United States has intervened in this action for the purposes of settlement pursuant to 31 U.S.C. § 3730(b)(2), (3), and (4) with respect to Defendant Briarwood Country Club, Inc.;

2. The United States has advised that the United States and Relator will file a stipulation of dismissal of their claims against Defendant Briarwood Country Club, Inc., upon the United States' receipt of the first installment payment that is due on or before January 31, 2025.

3. As set forth in the United States' Notice of Election to Decline Intervention as to Certain Defendants, the United States has declined to intervene as to the following 14 of the 15 Defendants Relator has named: (1) Recreation Centers of Sun City West, Inc.; (2) The Country Club at DC Ranch; (3) DC Ranch Association, Inc.; (4) DC Ranch Community Council; (5) Flagstaff Ranch Golf Club; (6) Mirabel Gold Club, Inc.; (7) Residence Club Scottsdale at Troon North Owners' Association; (8) Roadhaven Resort of Apache Junction; (9) Saddlebrooke Homeowners Association No. 2, Inc.; (10) Scottsdale Camelback Resort Association, Inc.; (11) Sunbird Golf Resort Homeowners Association, Inc.; (12) Tanglewood Townhouse Association, Inc.; (13) The Tonto Verde Association; (14) Tonto Verde Golf Club, Inc (collectively the "14 Declined Defendants").

4. The complaint shall be unsealed and served upon the 14 Declined Defendants by the Relator;

5. All other contents of the Court's file in this action will remain under seal and not be made public or served upon the Defendants, except for this Order, the Government's Notice of Intervention as to Defendant Briarwood Country Club, Inc., and the Government's Notice of Election to Decline Intervention.

6. The Relator will serve the Government's Notice of Election to Decline Intervention upon the defendants only after service of the complaint;

7. The seal shall be lifted as to all other matters occurring in this action after the date of this Order;

8. The parties shall serve all pleadings and motions filed in this action, including supporting memoranda, upon the United States, as provided for in 31 U.S.C. § 3730(c)(3). The United States may order any deposition transcripts and is entitled to intervene in this action, for good cause, at any time;

9. The parties shall serve all notices of appeal upon the United States;

10. All orders of this Court shall be sent to the United States; and that

11. Should the Relator or the defendants propose that this action be dismissed, settled, or otherwise discontinued, the Court will provide the United States with notice and

an opportunity to be heard before ruling or granting its approval.

IT IS FURTHER ORDERED this Order shall not be sealed.

Dated this 31st day of October, 2024.



Honorable Roslyn O. Silver
Senior United States District Judge