UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FILED
2023 MAR 14 PM 3:22 KNC
MIDDLE DISTRICT OF FLORIDA
ORLANDO, FLORIDA

UNITED STATES OF AMERICA
ex rel. MARIA FALZARANO,

Plaintiff-Relator,

v.

KINGWOOD INTERNATIONAL RESORT, LLC; KINGWOOD ORLANDO REUNION RESORT, LLC; APDC CLEANING SERVICES, LLC; FARBOD ZOHOURI; RICHARD NASSER; ANTHONY CARLL; and FIDEL HERNANDEZ,

Defendants.
_____/

FILED UNDER SEAL

Case No. 6:20-cv-976-Orl-37EJK

SEALED

UNITED STATES OF AMERICA'S NOTICE OF ELECTION TO INTERVENE IN PART FOR PURPOSES OF SETTLEMENT AND TO DECLINE TO INTERVENE IN PART

The United States of America respectfully notifies the Court that it hereby intervenes, in part, for the purposes of settlement pursuant to 31 U.S.C. § 3730(b)(2) and (4) of the False Claims Act, and declines to intervene in part of this action, as set forth herein.

1. Relator filed this *qui tam* action under the False Claims Act, 31 U.S.C. §§ 3729 – 3733 on June 20, 2020.

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2. The United States has sought several extensions of the investigative period to conduct its investigation and make a determination as to intervening in this matter.

3. The United States has reached an amicable resolution of this matter with Kingwood Orlando Reunion Resort, LLC, one of the defendants that allegedly submitted or caused to be submitted the claims identified in the Relators' complaint. The United States; Kingwood Orlando Reunion Resort, LLC; non-defendant Kingwood Crystal River Resort, Corp.; and Relator are in the process of executing a settlement agreement. The United States intervenes in the action as to defendant Kingwood Orlando Reunion Resort, LLC.

4. The United States declines to intervene as to all other Defendants.

5. Per the terms of the settlement agreement, the United States and Relator anticipate filing a Joint Stipulation of Dismissal after receipt of the settlement payment.

6. The United States requests that the Relator's Complaint, the Court's Orders, this Notice, and all subsequent filings in this action 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.

A proposed order accompanies this notice.

Respectfully Submitted,

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Civil Division

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CERTIFICATE OF NO SERVICE

I HEREBY CERTIFY that on March 14, 2023, a true and correct copy of the foregoing notice was sent by United States mail to the following:

James D. Young
Juan Martinez
MORGAN & MORGAN
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Jacksonville, FL 32202

Jeremy R. Bloor
Assistant United States Attorney