UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,
ex rel.
ALEXANDRA POOLE,

Plaintiffs,

v.

THE RENSSELAERVILLE INSTITUTE, INC., and RODNEY M. FULLER, individually,

Defendants.

1-21 CV 943 (MAD)/(ATB)

NOTICE OF PARTIAL DISMISSAL UNDER R. 41(A)(1)(1)

No defendant having served either an answer or a motion for summary judgment in the above-captioned action, pursuant to Fed. R. Civ. P. 41(a)(1)(1), plaintiff-relator Alexandra Poole ("Relator") and plaintiff the United States of America (the "United States"), acting through the United States Attorney's Office for the North District of New York, submit, for Court-order approval and filing, as required by 31 U.S.C. § 3730(b)(1), the following notice of partial dismissal:

1. Relator and the United States dismiss with prejudice all causes of action against THE RENSSELAERVILLE INSTITUTE, INC. arising under the fraud provisions of the False Claims Act, 31 U.S.C. § 3729(a)(1), as alleged in Count 1 of the Complaint;

2. Relator, having received the attached written consent from the United States pursuant to 31 U.S.C. § 3730(b)(1), dismisses without prejudice as to Relator or to the United

States all causes of action against RODNEY M. FULLER arising under the fraud provisions of the False Claims Act, 31 U.S.C. § 3729(a)(1), as alleged in Count 1 of the Complaint;

3. Relator does not dismiss the cause of action against THE RENSSELAERVILLE INSTITUTE, INC. arising under the whistleblower protection provisions of the False Claims Act, 31 U.S.C. § 3730(h), as alleged in Count 2 of the Complaint;

4. Relator does not dismiss any claim for expenses, attorneys' fees and costs against THE RENSSELAERVILLE INSTITUTE, INC., arising under Sections 3730(d)(1) and 3730(h)(2) of the False Claims Act;

5. Relator and the United States shall bear their own costs and attorneys' fees in connection with the claims being dismissed by this notice.

6. No party to this action is an infant or incompetent.

By the Relator,

/s/ Timothy J. McInnis
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By the United States,

/s/ Adam J. Katz
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SO ORDERRED:

MAE A. D'AGOSTINO
UNITED STATES DISTRICT JUDGE

DATE: 11/14/2022

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)

The United States' Notice of Consent to Dismissal

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States hereby notifies the Court that the Attorney General consents to the dismissal of Relator's claims against defendant Rodney M. Fuller without prejudice to the rights of the United States, based on the United States' determination that such a dismissal is commensurate with the public interest and that the matter does not warrant the continued expenditure of government resources to pursue or monitor the action based on currently available information.

Respectfully submitted,

CARLA B. FREEDMAN
United States Attorney

November 7, 2022

By: *Adam J. Katz*
Adam J. Katz
Assistant United States Attorney
Bar Roll No. 517894