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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA ex rel. BRYAN QUESENBERRY, Plaintiffs, v. BAY WIRE, INC. et al., Defendants.	Case No. 20-cv-6451-YGR **UNITED STATES' NOTICE OF ELECTION TO INTERVENE IN PART FOR PURPOSES OF SETTLEMENT AND TO DECLINE TO INTERVENE IN PART AND MOTION TO UNSEAL; [PROPOSED ORDER]** **FILED UNDER SEAL**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court of its decision to intervene in part of this action and to decline to intervene in part of this action. The United States intervenes in that part of the action which alleges that defendants La Baguette, LLC; Priority Acquisitions, Inc.; and Dynamic Integrated Solutions, Inc. (collectively, the "Settling

Defendants"), violated the False Claims Act ("FCA"), 31 U.S.C. § 3729 et seq., when they applied for and received two Paycheck Protection Program ("PPP") loans in 2020, as the Settling Defendants certified they would only receive one PPP loan prior to December 31, 2020. The United States has reached settlements with the Settling Defendants.

The United States declines to intervene as to all other defendants, specifically: Bay Wire, Inc.; Big Dog Construction; Fillmore Street Restaurant Partners, LP; G Family, Inc.; Gio Cha Duc Huong Corporation; Inforworks.IO, Inc.; Iwamotoscott Architecture, LLP; Karp Capital Management Corporation; Laboratory Family Services, Inc.; Lark Avenue Car Wash; Lightning Motors Corporation; M5 Partners, Inc.; Maleko Business Services; Mas Mac, Inc.; MG-Hila, LLC; My Chevrolet, Inc.; Onepacs, LLC; Orton Entertainment, LLC; Poke House, Inc.; Qotient, Inc.; Radeff Design Studios; Redwood Services, Inc.; Roots Community Health Center; SCC at Home, LLC; Sweet Things; The Independent, LLC; The Roman Catholic Welfare Corporation of Oakland; TKK, LLC; and Treeline Security. Based on discussions with relator, undersigned counsel anticipates that the relator will voluntarily dismiss all claims as to the Non-Settling Defendants in the near term. If relator dismisses Non-Settling Defendants the United States will consent to dismissal.

Finally, the United States requests that the relator's Complaint, 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.

A proposed order accompanies this notice.

Respectfully submitted,

STEPHANIE M. HINDS
United States Attorney

Dated: January 30, 2023 By: /s/ Michael T. Pyle
MICHAEL T. PYLE
Assistant United States Attorney

Dated: January 30, 2023 By: /s/ Jared S. Wiesner
JARED S. WIESNER
Civil Division, U.S. Department of Justice

Attorneys for the United States of America

[PROPOSED] ORDER

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States having partially intervened in this action, the Court rules as follows:

IT IS HEREBY ORDERED THAT:

1. Relator's Complaint, the Government's Notice of Partial Intervention, and this Order will be unsealed.

2. All other papers on file in this action shall remain under seal.

3. The seal shall be lifted on all matters occurring in this action after the date of this Order.

IT IS SO ORDERED.

Dated: _____

_____
HON. YVONNE GONZALEZ ROGERS
United States District Judge