UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE 9:15-CV-81520-KAM

UNITED STATES OF AMERICA and the
STATE OF FLORIDA
ex rel. DANIEL YARBROUGH
and *ex rel*. CODI FLETCHER

      Plaintiffs,

v.

AM-MED DIABETIC SUPPLIES, INC. d/b/a
BEYOND MEDICAL USA, et al.,

      Defendants.

ORDER GRANTING JOINT STIPULATION OF VOLUNTARY DISMISSAL

Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure and the *qui tam* provisions

of the False Claims Act, 31 U.S.C. § 3730(b)(1), Relators Daniel Yarbrough and Codi Fletcher

("Relators"), and Am-Med Diabetic Supplies, Inc., David Soblick, Keith Aranoff, and Christian

McKeon (collectively "Defendants") filed a Joint Stipulation of Voluntary Dismissal. Upon

consideration of the Stipulation, and the papers on file in this action,

IT IS HEREBY ORDERED:

1.   Consistent with the terms of the January 31, 2020 Settlement Agreement all

claims asserted on behalf of the United States against Defendants in this action are dismissed

without prejudice to the United States and the State of Florida and with prejudice to Relators;

2.   This dismissal is without prejudice to Relators' claim, if any, for a share of the

proceeds of the Settlement Amount (as defined in the Settlement Agreement) pursuant to 31

U.S.C. § 3730(d). The adjudication and/or resolution of such claim will not impact this

dismissal Order.

3.   The Court shall retain jurisdiction to adjudicate, if necessary, Relators' claim, if

any, to a share of the proceeds of the Settlement Amount pursuant to 31 U.S.C. § 3730(d). This

Order does not waive or otherwise affect the ability of the United States or any other person to

contend that provisions in the False Claims Act, including 31 U.S.C. §§ 3730(b)(5), 3730(d)(3)

and 3730(e), bar Relators from sharing in the proceeds of the settlement.

4.   The case is closed and all pending motions are denied as moot.

IT IS SO ORDERED.

Dated: April 29, 2020

KENNETH A. MARRA
United States District Judge

Copies furnished to: All Counsel of Record