

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, and the
STATES OF CALIFORNIA, DELAWARE,
FLORIDA, HAWAII, ILLINOIS, INDIANA,
MASSACHUSETTS, MINNESOTA,
MONTANA, NEVADA, NEW
HAMPSHIRE, NEW JERSEY, NEW
MEXICO, NEW YORK, NORTH
CAROLINA, RHODE ISLAND,
TENNESSEE, VIRGINIA and the
DISTRICT OF COLUMBIA ex rel. JAMES
GLENN,

Plaintiffs,

-against-

CISCO SYSTEMS, INC.,

Defendant.

Index No.: 11-CV-0400(A)

**STIPULATION
OF DISMISSAL**



Plaintiffs the United States and the States of California, Delaware, Florida, Hawaii, Illinois, Indiana, Minnesota, Montana, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, Rhode Island, Tennessee, the Commonwealths of Massachusetts and Virginia, and the District of Columbia, and Relator James Glenn (the “Relator”), by and through their counsel, hereby submit this Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1) and 31 U.S.C. § 3730(b)(1) and similar provisions of the state false claims acts, and stipulate and agree to the following:

WHEREAS, on or about July 22, 2019, United States, Relator, and Defendant entered into a final settlement agreement in *United States et al. ex rel. Glenn v. Cisco Systems, Inc.* No. 11-CV-0400(A) (the “Federal Settlement Agreement”);

WHEREAS on or about July 19, 2019, the States of California, Delaware, Florida, Hawaii, Illinois, Indiana, Minnesota, Nevada, New Jersey, New Mexico, New York, North Carolina, Tennessee, the Commonwealths of Massachusetts and Virginia, and the District of Columbia (the “Settling State Plaintiffs”), Relator, and Defendant entered into a final settlement agreement in *United States et al. ex rel. Glenn v. Cisco Systems, Inc.*, No. 11-CV-0400(A) (the “State Settlement Agreement” and together with the Federal Settlement Agreement, collectively the “Settlement Agreements”); and

WHEREAS, on or about July 29, 2019, the United States and the Settling State Plaintiffs filed their Notice of Intention to Intervene in *Qui Tam* Case for Purposes of Settlement;

Pursuant to Federal Rule of Civil Procedure 41(a)(1) and 31 U.S.C. § 3730(b)(1) and similar provisions of the state false claims acts, and in accordance with and subject to the terms of the Settlement Agreements, the United States, Plaintiff States, and Relator hereby stipulate to the entry of an order dismissing the above-captioned case as to the Defendant, provided that such dismissal shall be:

- with prejudice as to the United States as to the Covered Conduct described in the Federal Settlement Agreement, and without prejudice to the United States as to conduct other than that described in the Federal Settlement Agreement as Covered Conduct;
- with prejudice as to the Settling State Plaintiffs as to the Covered Conduct described in the State Settlement Agreement, and without prejudice as to the Settling State Plaintiffs as to conduct other than that described in the State Settlement Agreement as Covered Conduct;
- without prejudice as to Montana, New Hampshire, and Rhode Island; and

- with prejudice as to the Relator as to the Covered Conduct and without prejudice as to the Relator as to conduct other than the Covered Conduct described in the Settlement Agreements.

Notwithstanding the foregoing, this Court shall maintain jurisdiction for the limited purpose of enforcing the Federal Settlement Agreement and the State Settlement Agreement, except as to the State of Florida, and will maintain jurisdiction over the Relator's claims for attorney's fees, expenses and costs, which have expressly been reserved.

FINALLY, the United States hereby requests that the Court unseal the relator's complaint, the Stipulation of Dismissal and Order as well as the Notice of Intervention. The United States further requests that all other docket entries remain under seal.

The Parties respectfully request that the Court enter an order in the form attached.

Dated: July 29, 2019
Buffalo, New York

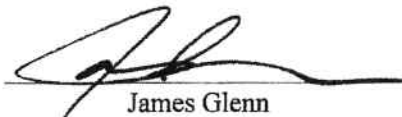
Respectfully submitted,

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Dated: 7-19-19


James Glenn

Dated: 7.19.19

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Dated:

July 19, 2019

By:



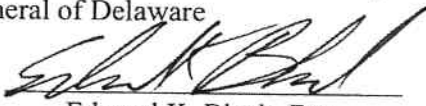
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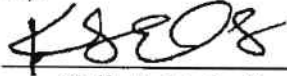
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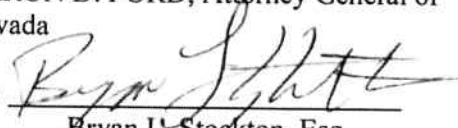
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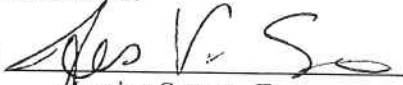
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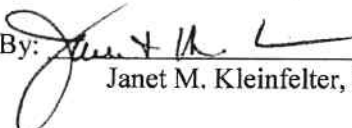
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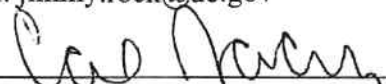
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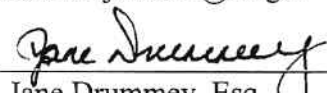
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