

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA, *ex rel.*

Plaintiff,

v.

NOUR USA, INC. *et al.*,

Defendants.

Civil Action No. 1:12-cv-01308 (JDB)

FILED UNDER SEAL

NOTICE OF ELECTION TO DECLINE INTERVENTION

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States hereby notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, 31 U.S.C. § 3730(b)(1) allows the relator to maintain the action in the name of the United States; providing, however, that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." *Id.* Therefore, the United States requests that, should either the relators or the defendants propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States; the United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts, to intervene in this action upon a showing of good

cause at a later date, and to seek the dismissal of the relators' action or claims. The United States also requests that it be served with all notices of appeal.

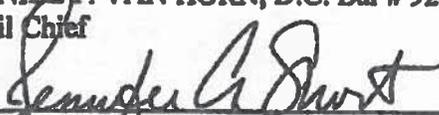
Finally, the United States requests that the relators' Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other submissions on file in this action remain under seal because, in discussing the content and extent of the United States' investigation, those submissions 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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