

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
BINGDON DIVISION**

UNITED STATES OF AMERICA ex rel. Ann Marie Williams,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:13-CV-00036
	)	
RECKITT BENCKISER INC., <i>et al.</i>	)	
	)	
Defendants.	)	
	)	

**CONSENT MOTION TO CONSOLIDATE AND STAY**

The United States respectfully move the Court to (1) consolidate this civil action with two related actions pending in this District, and (2) stay the consolidated proceedings up to and including January 30, 2019. The requested consolidation and stay are an appropriate exercise of the Court’s inherent authority to control the disposition of cases on its docket.

There are currently three *qui tam* complaints pending in this district filed pursuant to the False Claims Act, 31 U.S.C. § 3730(b) that make allegations that false and misleading promotion of the prescription drug Suboxone caused false claims to be submitted to federal healthcare programs. *See United States ex rel. Finkelstein v. Reckitt Benckiser Pharms. Inc.*, 1:14-CV-00059 (W.D. Va.); *United States ex rel. Williams v. Reckitt Benckiser Inc.*, 1:13-CV-00036 (W.D. Va.); *United States ex rel. Lemons v. Reckitt Benckiser Group PLC*, 1:15-CV-00016 (W.D. Va.). A fourth *qui tam* complaint pending in this district alleges fraud in connection with the pricing of Suboxone. *See United States ex rel. Miller v. Reckitt Benckiser Group PLC, Inc.*, 1:15-CV-00017 (W.D. Va.). On August 1, 2018, the government partially intervened in the three marketing *qui tam* actions and

declined to intervene in the pricing *qui tam* action. The current deadline for the government to file its complaint-in-intervention in the three marketing *qui tam* actions is October 31, 2018.

Consolidating the three marketing *qui tam* actions would serve the interests of judicial efficiency. Given the substantial overlap between the parties and issues, the government seeks to file a single, consolidated complaint-in-intervention in the three partially intervened actions.

Consolidating the actions would avoid having nearly identical filings made in three different actions.

Likewise, granting a short stay of the consolidated actions could also contribute to judicial economy. The short extension would allow the parties to determine if a negotiated resolution as to some or all of the parties is possible, which could reduce the demand on judicial resources. The United States proposes to file its consolidated complaint in intervention on January 30, 2019. The individual plaintiff states have authorized the undersigned to seek until February 28, 2019 for their complaints to be filed.

Defendants, Relators, and the individual plaintiff states do not oppose this motion. For the Court's convenience, a draft order has been attached to the Motion.

Dated: October 29, 2018

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Acting Under Authority Conferred  
by 28 U.S.C. § 515

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