

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

UNITED STATES OF AMERICA, ex rel. )  
THOMAS JOSEPH, )  
Plaintiff, )  
 )  
v. ) CA No. 2:13-cv-55 wks  
 )  
THE BRATTLEBORO RETREAT, )  
Defendant. )

**BRATTLEBORO RETREAT'S MOTION FOR  
ENTRY OF JUDGMENT**

The Brattleboro Retreat, by and through its attorneys moves this Court to enter judgment in this matter in favor of the Brattleboro Retreat, pursuant to this Court's August 8<sup>th</sup> 2014 order.

In support of this motion, the Retreat states that on August 8, 2014 this Court granted the Brattleboro Retreat's motion to dismiss the Complaint in its entirety. The Court dismissed the Complaint without prejudice, allowing the Relator 30 days file an amended complaint, or have the matter dismissed with prejudice. (Doc. No. 30 at 29). On September 9, 2014, this Court granted the Relator 30 additional days to file an amended complaint. (Doc. No. 31). Those 30 days expired on October 9, 2014. Relator has not filed an amended complaint.

Pursuant to Local Rule 7(a)(7), Counsel for the Brattleboro Retreat represents that she has consulted with Counsel for the Relator and with the U.S. Attorney, and she is authorized to state that the Relator does not object to the filing of this Motion and that the U.S. Attorney consents to the dismissal provided that the dismissal is without prejudice as to the United States.

WHEREFORE, the Brattleboro Retreat requests that the Court dismiss this case with prejudice as to the Relator and without prejudice as to the United States.

Brattleboro, Vermont  
October \_\_\_\_, 2014

DOWNS RACHLIN MARTIN PLLC

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**CERTIFICATE OF SERVICE**

I hereby certify that on October \_\_\_\_, 2014, I electronically filed this Brattleboro Retreat's Motion for Entry of Judgment with the Clerk of Court using the CM/ECF system, which will send notification of such filing(s) to the following:

Richard T. Cassidy, Attorney for Relator, Hoff Curtis  
Timothy Cornell, Attorney for Relator, Gardner Cornell  
Nikolas P. Kerest. Assistant U.S. Attorney, U.S. Department of Justice, District of Vermont

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Elizabeth R. Wohl

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