

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**UNITED STATES OF AMERICA and)
STATE OF TENNESSEE, *ex rel*,)
GARY ODOM and ROSS LUMPKIN,)**

Plaintiffs,)

v.)

N. 3:17-cv-00689

**SOUTHEAST EYE SPECIALISTS,)
PLLC, SOUTHEAST EYE SURGERY)
CENTER, LLC, and EYE SURGERY)
CENTER OF CHATTANOOGA, LLC.,)**

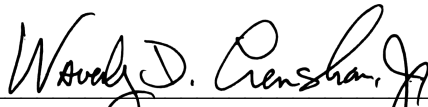
Defendants.)

ORDER

For the reasons stated in detail on the record on February 24, 2021, the Report and Recommendation (Doc. No. 84) is hereby **VACATED**. The Motion to Intervene, Add Two Defendants, and Stay Suit filed by the United States (Doc. No. 65) is **DENIED**, as is the Motion to Intervene filed by the States of Tennessee (Doc. No. 72).

Defendants' Motion to Dismiss (Doc. No. 54) is **DENIED WITHOUT PREJUDICE**, pending mediation. On or before March 19, 2021, counsel for Gary Odom, Ross Lumpkin, and the Defendants shall file a notice identifying the mediator and the date of the mediation. Those parties shall decide whether the United States and the State of Tennessee shall be a part of the mediation.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE