

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA ex rel.
REBECCA GONZALEZ,
Relator,

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v.

EP-07-CV-247-PRM

FRESENIUS MEDICAL CARE NORTH
AMERICA; ALFONSO CHAVEZ, M.D.;
BIO-MEDICAL APPLICATIONS OF
TEXAS, INC.; FRESENIUS MEDICAL
CARE HOLDINGS, INC.,
Defendants.

VERDICT FORM

PART I

QUESTION 1:

QUESTION 1(A):

AS TO COUNT ONE, DO YOU FIND BY A PREPONDERANCE OF THE EVIDENCE THAT DEFENDANT DR. CHAVEZ KNOWINGLY PRESENTED, OR CAUSED TO BE PRESENTED TO AN OFFICER OR EMPLOYEE OF THE UNITED STATES GOVERNMENT A FALSE OR FRAUDULENT CLAIM FOR PAYMENT OR APPROVAL IN VIOLATION OF THE FALSE CLAIMS ACT, 31 U.S.C. § 3729(a)(1)?

YES _____

NO X _____

IF YOUR ANSWER TO QUESTION 1(A) IS "YES," THEN PROCEED TO QUESTION 1(B).

IF YOUR ANSWER TO QUESTION 1(A) IS "NO," THEN STOP, PROCEED TO PAGE 9, AND SIGN THE VERDICT FORM.