

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
UNITED STATES OF AMERICA, <u>ex rel.</u> ,)	
AARON J. WESTRICK, Ph.D.,)	Civil Action No. 04-0280 (PLF)
)	
Plaintiffs,)	
)	
v.)	
)	
SECOND CHANCE BODY ARMOR, INC.,)	
<u>et al.</u> ,)	
)	
Defendants.)	
_____)	
UNITED STATES OF AMERICA,)	Civil Action No. 07-1144 (PLF)
)	
Plaintiff,)	
)	
v.)	
)	
TOYOBO COMPANY, LTD., <u>et al.</u> ,)	
)	
Defendants.)	
_____)	

ORDER

For the reasons stated in the accompanying Opinion issued this same day, it is hereby

ORDERED that the United States' motion for reconsideration [Dkt. 450 in Civil Action No. 04-0280 and Dkt. 184 in Civil Action No. 07-1144] is GRANTED IN PART and DENIED IN PART; it is

FURTHER ORDERED that the beginning of Toyobo's alleged fraud for all claims is July 2001; it is

FURTHER ORDERED that only the following claims survive summary judgment and shall proceed to trial:

1. Common law claims of fraud and unjust enrichment against all defendants concerning both the BPVGPA and the GSA MAS;
2. Fraudulent inducement under the FCA against all defendants concerning both the BPVGPA and the GSA MAS;
3. Express and implied false certification under the FCA against all defendants concerning only the GSA MAS and limited to the United States' theory that the Second Chance's 6% catalog guarantee was a durability requirement.

SO ORDERED.

DATE: July 14, 2017

_____/s/_____
PAUL L. FRIEDMAN
United States District Judge