

identified in this stipulation shall be dismissed at this time.

Relator, on behalf of himself, his heirs, successors, attorneys, agents, and assigns, stipulates that the Bechtel Payment Amount and the PB Payment Amount set forth in the Agreement and the terms and conditions described therein are fair, adequate, and reasonable under all the circumstances, that he will not challenge the settlement pursuant to 31 U.S.C. § 3730(c)(2)(B) and M.G.L. c. 12 § 5D(3), and that he expressly waives the opportunity for a hearing on any objection to the Agreement pursuant to 31 U.S.C. § 3730(c)(2)(B) and M.G.L. c. 12 § 5D(3).

The Parties respectively request that the Court enter an order in the form of the attached, proposed order.

Respectfully submitted,

ON BEHALF OF THE UNITED STATES:

Dated: _____

ON BEHALF OF THE COMMONWEALTH OF MASSACHUSETTS:

Dated: _____

ON BEHALF OF RELATOR DANIEL JOHNSTON:

Dated: _____

shall be dismissed with prejudice.

2. No claim or allegation other than those as specifically identified in the stipulation and herein shall be dismissed at this time. This Order has no effect on claims or allegations against any other defendants.

IT IS SO ORDERED,

This ____ day of _____, 2008.

Honorable George A. O'Toole, Jr.
United States District Judge