

HOUSE COMMITTEE OF REFERENCE REPORT

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Chair of Committee

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Date

April 5, 2022

Committee on Judiciary.

After consideration on the merits, the Committee recommends the following:

HB22-1119 be amended as follows, and as so amended, be referred to the Committee on Finance with favorable recommendation:

- 1 Amend printed bill, page 4, line 25, strike "FIVE" and substitute "TEN".
- 2 Page 5, line 7, after "THE" insert "FALSITY OF THE".
- 3 Page 5, line 13, after the period, insert "A PERSON WHO ACTS MERELY  
4 NEGLIGENTLY WITH RESPECT TO INFORMATION IS NOT DEEMED TO HAVE  
5 ACTED KNOWINGLY, UNLESS THE PERSON ACTS WITH RECKLESS DISREGARD  
6 OF THE TRUTH OR FALSITY OF THE INFORMATION."
- 7 Page 6, strike lines 11 through 18.
- 8 Page 6, lines 23 through 25, strike "IN AMOUNTS ESTABLISHED IN THE  
9 FEDERAL "FALSE CLAIMS ACT", 31 U.S.C. SEC. 3729 ET SEQ., AS  
10 AMENDED, AS ADJUSTED FOR INFLATION PURSUANT TO 31 U.S.C. SEC.  
11 3729," and substitute "OF NOT LESS THAN ELEVEN THOUSAND EIGHT  
12 HUNDRED DOLLARS AND NOT MORE THAN TWENTY-THREE THOUSAND SIX  
13 HUNDRED DOLLARS PER VIOLATION,".
- 14 Page 7, line 24, strike the second "OR".
- 15 Page 7, after line 24 insert:  
16 "(g) KNOWINGLY MAKES, USES, OR CAUSES TO BE MADE OR USED,  
17 A FALSE RECORD OR STATEMENT MATERIAL TO A CLAIM TO  
18 UNEMPLOYMENT INSURANCE BENEFITS WHEN THE PERSON HAS  
19 WRONGFULLY RECOVERED UNEMPLOYMENT INSURANCE BENEFITS FROM  
20 THE STATE OF MORE THAN FIFTEEN THOUSAND DOLLARS IN A CALENDAR  
21 YEAR; OR".
- 22 Reletter succeeding paragraph accordingly.

1 Page 7, strike lines 26 and 27 and substitute "(1)(g) OF THIS SECTION."

2 Page 8, strike lines 1 through 20 and substitute:

3 "(2) (a) NOTWITHSTANDING THE AMOUNT OF DAMAGES  
4 AUTHORIZED IN SUBSECTION (1) OF THIS SECTION, FOR A PERSON WHO  
5 VIOLATES SUBSECTION (1) OF THIS SECTION, THE COURT MAY ASSESS  
6 REDUCED DAMAGES AND PENALTIES AS DESCRIBED IN SUBSECTION (2)(b)  
7 OR (2)(c) OF THIS SECTION IF THE COURT FINDS THAT:

8 (I) THE PERSON WHO COMMITTED THE VIOLATION FURNISHED TO  
9 THE OFFICIALS OF THE STATE OR POLITICAL SUBDIVISION RESPONSIBLE FOR  
10 INVESTIGATING FALSE CLAIMS VIOLATIONS ALL INFORMATION ABOUT THE  
11 VIOLATION KNOWN TO THE PERSON AND FURNISHED SAID INFORMATION  
12 WITHIN THIRTY DAYS AFTER THE DATE ON WHICH THE PERSON FIRST  
13 LEARNED OF A POTENTIAL VIOLATION;

14 (II) AT THE TIME THE PERSON FURNISHED THE INFORMATION  
15 ABOUT THE VIOLATION TO THE OFFICIALS OF THE STATE OR POLITICAL  
16 SUBDIVISION, THE PERSON DID NOT HAVE ACTUAL OR CONSTRUCTIVE  
17 KNOWLEDGE OF THE EXISTENCE OF AN INVESTIGATION INTO THE  
18 VIOLATION; AND

19 (III) THE PERSON FULLY COOPERATED WITH ANY INVESTIGATION  
20 OF THE VIOLATION BY THE STATE OR POLITICAL SUBDIVISION.

21 (b) IF A PERSON DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION  
22 FURNISHED INFORMATION ABOUT THE VIOLATION TO THE OFFICIALS OF THE  
23 STATE OR POLITICAL SUBDIVISION BEFORE A CRIMINAL PROSECUTION, CIVIL  
24 ACTION, OR ADMINISTRATIVE ACTION WAS COMMENCED WITH RESPECT TO  
25 THE VIOLATION, THE COURT SHALL ASSESS ONE AND ONE-HALF THE  
26 AMOUNT OF ACTUAL DAMAGES RESULTING FROM THE FALSE CLAIM,  
27 INCLUDING INTEREST FROM THE DATE OF THE FRAUD TO THE DATE OF FULL  
28 REPAYMENT OF ALL DAMAGES, THAT THE STATE OR POLITICAL  
29 SUBDIVISION SUSTAINS BECAUSE OF THE VIOLATION AND A CIVIL PENALTY  
30 OF NOT LESS THAN FIVE THOUSAND NINE HUNDRED DOLLARS AND NOT  
31 MORE THAN ELEVEN THOUSAND EIGHT HUNDRED DOLLARS PER VIOLATION.

32 (c) IF A PERSON DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION  
33 FURNISHED INFORMATION ABOUT THE VIOLATION TO THE OFFICIALS OF THE  
34 STATE OR POLITICAL SUBDIVISION WHILE A CRIMINAL PROSECUTION, CIVIL  
35 ACTION, OR ADMINISTRATIVE ACTION CONCERNING THE VIOLATION WAS  
36 UNDER SEAL PURSUANT TO SECTION 24-31-1204 (4)(b), THE COURT SHALL  
37 ASSESS DOUBLE THE AMOUNT OF ACTUAL DAMAGES RESULTING FROM THE  
38 FALSE CLAIM, INCLUDING INTEREST FROM THE DATE OF THE FRAUD TO THE  
39 DATE OF FULL REPAYMENT OF ALL DAMAGES, THAT THE STATE OR  
40 POLITICAL SUBDIVISION SUSTAINS BECAUSE OF THE VIOLATION AND A CIVIL  
41 PENALTY OF NOT LESS THAN SEVEN THOUSAND EIGHT HUNDRED DOLLARS

1 AND NOT MORE THAN FIFTEEN THOUSAND SEVEN HUNDRED DOLLARS PER  
2 VIOLATION.

3 (d) THE ATTORNEY GENERAL MAY DETERMINE WHETHER A PERSON  
4 MEETS THE CRITERIA DESCRIBED IN SUBSECTION (2)(a) OF THIS SECTION  
5 AND SUBMIT THE DETERMINATION AND REASONING TO THE COURT, WHICH  
6 THE COURT MAY CONSIDER WHEN MAKING A FINDING AS TO WHETHER THE  
7 BUSINESS SATISFIES THE CRITERIA DESCRIBED IN SUBSECTION (2)(a) OF  
8 THIS SECTION."

9 Page 9, after line 2 insert:

10 "(6) (a) THE MAXIMUM AND MINIMUM AMOUNTS FOR THE CIVIL  
11 PENALTIES DESCRIBED IN THIS SECTION MUST BE ADJUSTED FOR INFLATION  
12 ON JULY 1, 2023, AND EACH JULY 1 THEREAFTER. THE ADJUSTMENT MADE  
13 PURSUANT TO THIS SUBSECTION (6) MUST BE ROUNDED UPWARD OR  
14 DOWNWARD TO THE NEAREST TEN-DOLLAR INCREMENT. THE SECRETARY  
15 OF STATE SHALL CERTIFY THE ADJUSTED MAXIMUM AND MINIMUM  
16 AMOUNTS FOR CIVIL PENALTIES WITHIN FOURTEEN DAYS AFTER THE  
17 APPROPRIATE INFORMATION IS AVAILABLE.

18 (b) FOR EACH ACTION BROUGHT PURSUANT TO THIS PART 12, THE  
19 APPLICABLE MINIMUM AND MAXIMUM AMOUNTS FOR A CIVIL PENALTY ARE  
20 THE AMOUNTS IN EFFECT ON THE DATE THE CAUSE OF ACTION ACCRUES.

21 (c) AS USED IN THIS SECTION, "INFLATION" MEANS THE ANNUAL  
22 PERCENTAGE CHANGE IN THE DENVER-AURORA-LAKEWOOD CONSUMER  
23 PRICE INDEX, OR ITS APPLICABLE SUCCESSOR INDEX, PUBLISHED BY THE  
24 UNITED STATES DEPARTMENT OF LABOR BUREAU OF LABOR STATISTICS.

25 (7) FOR ACCOUNTING PURPOSES, A FINE OR PENALTY RECEIVED BY  
26 THE STATE PURSUANT TO THIS PART 12 IS A DAMAGE AWARD."

27 Page 9, after line 24 insert:

28 "(d) IN ANY ACTION BROUGHT PURSUANT TO THIS PART 12 IN  
29 WHICH THE ATTORNEY GENERAL IS A PARTY, EITHER AS THE PLAINTIFF OR  
30 AS AN INTERVENOR, THE COURT MAY DISMISS THE ACTION UPON MOTION  
31 OF THE ATTORNEY GENERAL FOLLOWING THE NOTICE AND OPPORTUNITY  
32 FOR A HEARING PURSUANT TO SUBSECTION (5)(b)(I) OF THIS SECTION. IN  
33 DETERMINING WHETHER TO FILE A MOTION TO DISMISS, THE ATTORNEY  
34 GENERAL SHALL CONSIDER THE SEVERITY OF THE FALSE CLAIM, PROGRAM  
35 OR POPULATION IMPACTED BY THE FALSE CLAIM, DURATION OF THE FRAUD,  
36 WEIGHT AND MATERIALITY OF THE EVIDENCE, OTHER MEANS TO MAKE THE  
37 PROGRAM WHOLE, AND OTHER FACTORS THE ATTORNEY GENERAL DEEMS  
38 RELEVANT. THE ATTORNEY GENERAL'S DECISION-MAKING PROCESS  
39 CONCERNING A MOTION TO DISMISS AND ANY RECORDS RELATED TO THE  
40 DECISION-MAKING PROCESS ARE NOT DISCOVERABLE IN ANY ACTION."

1 Page 10, after line 27 insert:

2 "(e) THE LIMITATIONS AND REQUIREMENTS DESCRIBED IN SECTION  
3 13-17-304 APPLY TO A CONTINGENT FEE CONTRACT BETWEEN A POLITICAL  
4 SUBDIVISION AND A PRIVATE ATTORNEY ENTERED INTO FOR THE PURPOSE  
5 OF BRINGING OR INTERVENING IN AN ACTION PURSUANT TO THIS PART 12."

6 Page 11, line 18 and 19, strike "A RELATOR MAY NOT DISMISS AN ACTION  
7 UNLESS THE COURT AND" and substitute "THE COURT SHALL NOT DISMISS  
8 AN ACTION UPON MOTION OF THE PRIVATE PERSON WHO BROUGHT THE  
9 ACTION UNLESS".

10 Page 11, line 22, strike "THE RELATOR" and substitute "(I) A PERSON  
11 WHO BRINGS AN ACTION".

12 Page 11, line 26, strike "RELATOR POSSESSES." and substitute "PERSON  
13 POSSESSES; EXCEPT THAT THE PERSON SHALL NOT DISCLOSE ANY  
14 EVIDENCE OR INFORMATION THAT THE PERSON REASONABLY BELIEVES IS  
15 PROTECTED BY THE DEFENDANT'S ATTORNEY-CLIENT PRIVILEGE UNLESS  
16 THE PRIVILEGE WAS WAIVED, INADVERTENTLY OR OTHERWISE, BY THE  
17 PERSON WHO HOLDS THE PRIVILEGE; AN EXCEPTION TO THE PRIVILEGE  
18 APPLIES; OR DISCLOSURE OF THE INFORMATION IS PERMITTED BY AN  
19 ATTORNEY PURSUANT TO 17 CFR 205.3 (d)(2), THE APPLICABLE  
20 COLORADO RULES OF PROFESSIONAL CONDUCT, OR OTHERWISE."

21 Page 12, after line 7 insert:

22 "(II) IN DETERMINING WHETHER TO INTERVENE AND PROCEED WITH  
23 AN ACTION PURSUANT TO THIS SUBSECTION (4)(b), THE ATTORNEY  
24 GENERAL SHALL CONSIDER THE FACTORS DESCRIBED IN SUBSECTION (1)(d)  
25 OF THIS SECTION. THE ATTORNEY GENERAL'S DECISION-MAKING PROCESS  
26 CONCERNING WHETHER TO INTERVENE AND ANY RECORDS RELATED TO  
27 THE DECISION-MAKING PROCESS ARE NOT DISCOVERABLE IN ANY ACTION."

28 Page 13, after line 3 insert:

29 "(f) ANY INFORMATION PROVIDED BY A PERSON TO THE STATE OR  
30 POLITICAL SUBDIVISION PURSUANT TO THIS SUBSECTION (4) IS EXEMPT  
31 FROM DISCLOSURE PURSUANT TO THE "COLORADO OPEN RECORDS ACT",  
32 PART 2 OF ARTICLE 72 OF THIS TITLE 24."

33 Page 13, line 8, strike "RELATOR. THE RELATOR" and substitute "PERSON  
34 WHO BROUGHT THE ACTION. THE PERSON".

35 Page 13, line 11, strike "MAY" and substitute "MAY, AT ANY TIME,".

- 1 Page 13, line 12, strike "ACTION" and substitute "ACTION, IN WHOLE OR IN  
2 PART,".
- 3 Page 14, line 1, strike "RELATOR'S" and substitute "PERSON'S".
- 4 Page 14, line 6, strike "RELATOR'S" and substitute "PERSON'S".
- 5 Page 14, strike lines 16 through 19.
- 6 Page 14, line 20, strike "THE ACTION." and substitute "(c)".
- 7 Page 14, line 21, strike "THE" and substitute "AN".
- 8 Page 14, line 24, strike "ACTION." and substitute "ACTION, BUT IF THE  
9 ATTORNEY GENERAL SUBMITS TO THE COURT THE ATTORNEY GENERAL'S  
10 REASONS FOR NOT PROCEEDING WITH THE ACTION, THE COURT MAY  
11 CONSIDER THE REASONS WHEN DECIDING A MOTION OR WHETHER THE  
12 COURT HAS JURISDICTION.".
- 13 Page 15, line 1, strike "A RELATOR" and substitute "THE PERSON".
- 14 Page 15, lines 22 and 23, strike "SUBDIVISION, INCLUDING ANY  
15 ADMINISTRATIVE PROCEEDING TO DETERMINE A CIVIL MONEY PENALTY."  
16 and substitute "SUBDIVISION.".
- 17 Page 15, line 24, strike "RELATOR" and substitute "PERSON WHO BROUGHT  
18 THE ACTION PURSUANT TO SUBSECTION (4) OF THIS SECTION".
- 19 Page 15, line 25, strike "RELATOR" and substitute "PERSON".
- 20 Page 16, line 7, strike "**relators.**" and substitute "**a person who brings**  
21 **an action.**".
- 22 Page 17, line 8, strike "RELATOR'S" and substitute "PERSON'S".
- 23 Page 17, line 10, strike "RELATOR'S" and substitute "PERSON'S".
- 24 Page 18, line 26, after "JUDICIARY," insert "AN EXECUTIVE DIRECTOR OF  
25 A STATE AGENCY,".
- 26 Page 19, line 1, strike "MEMBER'S" and substitute "MEMBER'S, EXECUTIVE  
27 DIRECTOR'S,".

- 1 Page 20, line 11, before "THIS" insert "SUBSECTION (4) OF".
- 2 Page 20, line 19, strike "RELATOR" and substitute "PERSON WHO BROUGHT  
3 THE ACTION PURSUANT TO SUBSECTION (4) OF THIS SECTION".
- 4 Page 20, line 20, after the period insert "CONFIDENTIAL INFORMATION  
5 DOES NOT INCLUDE INFORMATION THAT IS PROTECTED BY THE  
6 DEFENDANT'S ATTORNEY-CLIENT PRIVILEGE UNLESS THE PRIVILEGE WAS  
7 WAIVED, INADVERTENTLY OR OTHERWISE, BY THE PERSON WHO HOLDS THE  
8 PRIVILEGE; AN EXCEPTION TO THE PRIVILEGE APPLIES; OR DISCLOSURE OF  
9 THE INFORMATION IS PERMITTED BY AN ATTORNEY PURSUANT TO 17 CFR  
10 205.3 (d)(2), THE APPLICABLE COLORADO RULES OF PROFESSIONAL  
11 CONDUCT, OR OTHERWISE."
- 12 Page 23, line 19, strike "PRIMARILY".
- 13 Page 24, line 14, strike "RELATOR'S EMPLOYER," and substitute  
14 "EMPLOYER OF THE PERSON WHO BROUGHT THE ACTION PURSUANT TO  
15 SUBSECTION (4) OF THIS SECTION,".
- 16 Page 24, line 19, strike "RELATOR" and substitute "PERSON WHO BRINGS  
17 AN ACTION PURSUANT TO SUBSECTION (4) OF THIS SECTION".
- 18 Page 24, line 21, after "SECTION," insert "REFERRED TO IN THIS  
19 SUBSECTION (10) AS AN "OTHER ACTION",".
- 20 Page 25, line 10, strike "AN ACTION OTHER THAN AN ACTION" and  
21 substitute "ANY OTHER ACTION, A PERSON WHO BROUGHT THE ACTION  
22 PURSUANT TO SUBSECTION (4) OF THIS SECTION,".
- 23 Page 25, strike line 11.
- 24 Page 25, line 16, strike "RELATOR" and substitute "PERSON WHO BROUGHT  
25 THE ACTION PURSUANT TO SUBSECTION (4) OF THIS SECTION".
- 26 Page 25, after line 22 insert:  
27 "(c) NOTWITHSTANDING ANY PROVISION OF THIS SUBSECTION (10)  
28 TO THE CONTRARY, INFORMATION ABOUT AN ACTION FILED PURSUANT TO  
29 SUBSECTION (4) OF THIS SECTION THAT IS PROTECTED BY THE  
30 DEFENDANT'S ATTORNEY-CLIENT PRIVILEGE IS NOT DISCOVERABLE IN ANY  
31 OTHER ACTION UNLESS THE PRIVILEGE WAS WAIVED, INADVERTENTLY OR  
32 OTHERWISE, BY THE PERSON WHO HOLDS THE PRIVILEGE; AN EXCEPTION  
33 TO THE PRIVILEGE APPLIES; OR DISCLOSURE OF THE INFORMATION IS

- 1 PERMITTED BY AN ATTORNEY PURSUANT TO 17 CFR 205.3 (d)(2), THE  
2 APPLICABLE COLORADO RULES OF PROFESSIONAL CONDUCT, OR  
3 OTHERWISE."
- 4 Page 26, line 12, strike "RELATOR'S" and substitute "ORIGINAL".
- 5 Page 26, line 21, strike "RELATOR'S COMPLAINT," and substitute  
6 "ORIGINAL COMPLAINT FILED BY A PERSON PURSUANT TO SECTION  
7 24-31-1204 (4)".
- 8 Page 26, line 24, strike "COMPLAINT OF THE RELATOR." and substitute  
9 "COMPLAINT."
- 10 Page 26, line 26, strike "RELATOR" and substitute "PERSON WHO BROUGHT  
11 THE ACTION PURSUANT TO SECTION 24-31-1204 (4)".
- 12 Page 27, line 15, after the period insert "A PERSON BRINGING AN ACTION  
13 PURSUANT TO THIS PART 12 SHALL FILE THE COMPLAINT IN A DISTRICT  
14 COURT OR A FEDERAL COURT WITH JURISDICTION OVER THE ACTION AND  
15 SHALL NOT FILE THE COMPLAINT IN ANY OTHER COURT."
- 16 Page 28, line 1, after "NECESSARY;" insert "EXCEPT THAT THE PERSON IS  
17 NOT REQUIRED TO DISCLOSE ANY INFORMATION THAT IS PROTECTED BY  
18 THE PERSON'S ATTORNEY-CLIENT PRIVILEGE UNLESS THE PRIVILEGE WAS  
19 WAIVED, INADVERTENTLY OR OTHERWISE, BY THE PERSON WHO HOLDS THE  
20 PRIVILEGE; AN EXCEPTION TO THE PRIVILEGE APPLIES; OR DISCLOSURE OF  
21 THE INFORMATION IS PERMITTED BY AN ATTORNEY PURSUANT TO 17 CFR  
22 205.3 (d)(2), THE APPLICABLE COLORADO RULES OF PROFESSIONAL  
23 CONDUCT, OR OTHERWISE."
- 24 Page 28, line 4, after "THEREOF," insert "OR ANY NONPRIVILEGED".
- 25 Page 28, line 8, after "ANY" insert "NONPRIVILEGED".
- 26 Page 31, line 10, strike "CREDIT" and substitute "TRANSFER".
- 27 Page 31, line 15, strike "CREDIT" and substitute "TRANSFER".
- 28 Page 31, after line 25 insert:  
29 **"24-31-1211. False claims act report. (1) ON OR BEFORE**  
30 **JANUARY 15, 2024, AND ON OR BEFORE EACH JANUARY 15 THEREAFTER,**  
31 **THE ATTORNEY GENERAL SHALL SUBMIT A WRITTEN REPORT TO THE HOUSE**  
32 **OF REPRESENTATIVES BUSINESS AFFAIRS AND LABOR COMMITTEE, THE**

1 HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE, THE SENATE  
2 BUSINESS, LABOR, AND TECHNOLOGY COMMITTEE, AND THE SENATE  
3 JUDICIARY COMMITTEE, OR THEIR SUCCESSOR COMMITTEES, CONCERNING  
4 CLAIMS BROUGHT PURSUANT TO THIS PART 12 DURING THE PREVIOUS  
5 FISCAL YEAR. THE REPORT MUST INCLUDE, BUT IS NOT LIMITED TO:

6 (a) THE NUMBER OF ACTIONS BROUGHT BY THE ATTORNEY  
7 GENERAL AND THE DISPOSITION OF THE ACTIONS;

8 (b) THE AMOUNT OF PROCEEDS RECOVERED BY THE STATE  
9 THROUGH SETTLEMENT OR JUDGMENT IN AN ACTION BROUGHT PURSUANT  
10 TO THIS PART 12, INCLUDING:

11 (I) THE CASE NUMBER AND PARTIES FOR EACH ACTION IN WHICH  
12 PROCEEDS WERE RECOVERED;

13 (II) THE AMOUNT OF PROCEEDS RECOVERED IN EACH CASE,  
14 CATEGORIZED BY THE AMOUNT RECOVERED AS DAMAGES, PENALTIES, AND  
15 LITIGATION COSTS; AND

16 (III) IF APPLICABLE, THE PERCENTAGE OF THE PROCEEDS  
17 RECOVERED AND THE TOTAL AMOUNT AWARDED TO A PRIVATE PERSON  
18 WHO BROUGHT THE ACTION.

19 (c) THE NUMBER OF ACTIONS BROUGHT BY A PERSON OTHER THAN  
20 THE ATTORNEY GENERAL IN WHICH THE ATTORNEY GENERAL DID NOT  
21 INTERVENE, WHETHER THE ACTIONS WERE CONTINUED BY THE OTHER  
22 PERSON, AND THE DISPOSITION OF THE ACTIONS;

23 (d) THE AMOUNT OF PROCEEDS, INCLUDING ANY LITIGATION COSTS  
24 AND ATTORNEY FEES, RECOVERED THROUGH SETTLEMENT OR JUDGMENT  
25 IN ACTIONS BROUGHT BY A PERSON OTHER THAN THE ATTORNEY GENERAL;  
26 AND

27 (e) THE AMOUNT EXPENDED BY THE STATE FOR INVESTIGATION  
28 AND LITIGATION OF FALSE CLAIMS PURSUANT TO THIS PART 12 AND ALL  
29 OTHER COSTS RELATED TO THIS PART 12.

30 (2) NOTWITHSTANDING SECTION 24-1-136 (11)(a)(I), THE  
31 REPORTING REQUIREMENT DESCRIBED IN THIS SECTION CONTINUES  
32 INDEFINITELY."

33 Strike "RELATOR" and substitute "PERSON" on: **Page 11**, lines 14 and 15;  
34 **Page 12**, line 26; **Page 13**, lines 13 and 14; **Page 14**, lines 2, 5, 8, and 14;  
35 **Page 15**, line 2; **Page 16**, lines 9, 10, 13, 21, 24 two times, and 26; **Page**  
36 **17**, lines 2, 12, 13, 16, and 22; **Page 18**, lines 2, 6, 7, 9, 11, 12, and 20;  
37 **Page 19**, lines 2, 6, and 13; **Page 20**, line 10; **Page 24**, lines 22, 23, and  
38 25; and **Page 25**, line 14.

39 Strike "RELATOR" and substitute "PERSON WHO BROUGHT THE ACTION" on:  
40 **Page 12**, line 24; **Page 13**, lines 12, 18, and 24; **Page 14**, line 11; **Page**  
41 **15**, line 8; **Page 16**, line 17; **Page 17**, line 7; **Page 18**, line 17; and **Page**



1 19, line 22.

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