

No. 24-1819

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IN THE  
**United States Court of Appeals**  
**for the Third Circuit**

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ASTRAZENECA PHARMACEUTICALS, LP, *ET AL.*,  
*Plaintiffs-Appellants,*  
v.  
XAVIER BECERRA, *ET AL.*,  
*Defendants-Appellees.*

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On Appeal from the United States District Court  
for the District of Delaware  
No. 23-cv-00931-CFC, Chief Judge Colm F. Connolly

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**ADDENDUM TO JOINT APPENDIX (JA323-JA338)**

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CLOSED, APPEAL

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:23-cv-00931-CFC**

AstraZeneca Pharmaceuticals LP v. Becerra et al  
Assigned to: Judge Colm F. Connolly  
Case in other court: Third Circuit, 24-01819  
Cause: 05:551 Administrative Procedure Act

Date Filed: 08/25/2023  
Date Terminated: 03/01/2024  
Jury Demand: None  
Nature of Suit: 899 Other Statutes:  
Administrative Procedures Act/Review or  
Appeal of Agency Decision  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

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*in his official capacity as Secretary of the  
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Date Filed	#	Docket Text
08/25/2023	<u>1</u>	COMPLAINT filed against Xavier Becerra, Chiquita Brooks-LaSure (Filing fee \$ 402, receipt number ADEDC-4209061.) - filed by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Civil Cover Sheet)(jfm) (Entered: 08/25/2023)
08/25/2023	<u>2</u>	Notice, Consent and Referral forms re: U.S. Magistrate Judge jurisdiction. (jfm) (Entered: 08/25/2023)
08/25/2023	<u>3</u>	Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent AstraZeneca PLC for AstraZeneca Pharmaceuticals LP filed by AstraZeneca Pharmaceuticals LP. (jfm) (Entered: 08/25/2023)
08/25/2023	<u>4</u>	Summons Issued as to Xavier Becerra and Chiquita Brooks-LaSure on 8/25/2023. (Attachments: # <u>1</u> Summons Issued Chiquita Brooks-LaSure)(jfm) (Entered: 08/25/2023)
08/28/2023	<u>5</u>	DECLARATION of Service on Samuel R. Bagenstos by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Exhibit A-B)(Joyce, Alexandra) (Entered: 08/28/2023)
08/28/2023	<u>6</u>	DECLARATION of Service on Xavier Becerra by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Exhibit A-B)(Joyce, Alexandra) (Entered: 08/28/2023)
08/28/2023	<u>7</u>	DECLARATION of Service on Chiquita Brooks-LaSure by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Exhibit A-B)(Joyce, Alexandra) (Entered: 08/28/2023)
08/28/2023	<u>8</u>	DECLARATION of Service on Merrick B. Garland by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Exhibit A-B)(Joyce, Alexandra) (Entered: 08/28/2023)
08/28/2023	<u>9</u>	DECLARATION of Service on David C. Weiss by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Exhibit A-B)(Joyce, Alexandra) (Entered: 08/28/2023)
08/30/2023		Case Assigned to Judge Colm F. Connolly. Please include the initials of the Judge (CFC) after the case number on all documents filed. (rjb) (Entered: 08/30/2023)
08/30/2023	<u>10</u>	MOTION for Pro Hac Vice Appearance of Attorney Catherine E. Stetson, Susan M. Cook, and Marlan Golden - filed by AstraZeneca Pharmaceuticals LP. (Attachments: # <u>1</u> Certifications)(Silver, Daniel) (Entered: 08/30/2023)
08/30/2023		SO ORDERED, re <u>10</u> MOTION for Pro Hac Vice Appearance of Attorney Catherine E. Stetson, Susan M. Cook, and Marlan Golden, filed by AstraZeneca Pharmaceuticals LP. Ordered by Judge Colm F. Connolly on 8/30/2023. (kmd) (Entered: 08/30/2023)
08/30/2023		Pro Hac Vice Attorney Susan M. Cook for AstraZeneca Pharmaceuticals LP added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (smg) (Entered: 08/30/2023)

- 08/30/2023 Pro Hac Vice Attorney Marlan Golden for AstraZeneca Pharmaceuticals LP added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (smg) (Entered: 08/30/2023)
- 08/31/2023 11 STANDING ORDER REGARDING BRIEFING IN ALL CASES (nmf) (Entered: 08/31/2023)
- 09/12/2023 Pro Hac Vice Attorney Catherine E. Stetson for AstraZeneca Pharmaceuticals LP added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 09/12/2023)
- 09/18/2023 12 NOTICE of Appearance by Alexander V Sverdlov on behalf of All Defendants (Sverdlov, Alexander) (Entered: 09/18/2023)
- 09/18/2023 13 STIPULATION and [Proposed] Order Regarding Cross-Motions for Summary Judgment by AstraZeneca Pharmaceuticals LP. (Silver, Daniel) (Entered: 09/18/2023)
- 09/19/2023 14 NOTICE of Appearance by Stephen Michael Pezzi on behalf of All Defendants (Pezzi, Stephen) (Entered: 09/19/2023)
- 09/19/2023 15 SO ORDERED, re 13 STIPULATION and Order Regarding Cross-Motions for Summary Judgment by AstraZeneca Pharmaceuticals LP. filed by AstraZeneca Pharmaceuticals LP. ORDER, Setting Hearings( An Oral Argument is set for 1/31/2024 at 09:00 AM in Courtroom 4B before Judge Colm F. Connolly.) Signed by Judge Colm F. Connolly on 9/19/2023. (nmf) (Entered: 09/19/2023)
- 09/26/2023 16 AMENDED COMPLAINT against Xavier Becerra, Chiquita Brooks-LaSure- filed by AstraZeneca Pharmaceuticals LP, AstraZeneca AB. (Attachments: # 1 Certification of Counsel, # 2 Redline)(Silver, Daniel) (Entered: 09/26/2023)
- 09/26/2023 17 Amended Disclosure Statement pursuant to Rule 7.1: identifying Corporate Parent AstraZeneca PLC for AstraZeneca AB, AstraZeneca Pharmaceuticals LP filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Silver, Daniel) (Entered: 09/26/2023)
- 09/26/2023 18 MOTION for Summary Judgment - filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Attachments: # 1 Text of Proposed Order)(Silver, Daniel) (Entered: 09/26/2023)
- 09/26/2023 19 OPENING BRIEF in Support re 18 MOTION for Summary Judgment filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. Answering Brief/Response due date per Local Rules is 10/10/2023. (Attachments: # 1 Word Count Certification)(Silver, Daniel) (Entered: 09/26/2023)
- 09/26/2023 20 DECLARATION re 19 Opening Brief in Support, *of Marlan Golden* by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10)(Silver, Daniel) (Entered: 09/26/2023)
- 11/01/2023 21 Defendant's Opposition to 18 Plaintiffs' Motion for Summary Judgment *and Cross-Motion* - filed by Xavier Becerra, Chiquita Brooks-LaSure. (Attachments: # 2 Affidavit of Cheri Rice, # 3 Text of Proposed Order)(Sverdlov, Alexander) (Additional attachment(s) added on 11/7/2023: # 4 Certification of Compliance) (kmd). Modified on 11/7/2023 (kmd). (Entered: 11/01/2023)
- 11/02/2023 22 Memorandum of Law in Support of 21 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment , Certifying compliance with font and word count requirements* by Xavier Becerra, Chiquita Brooks-LaSure. (Sverdlov,

Alexander) (Main Document 22 replaced on 11/7/2023) (kmd). Modified on 11/7/2023 (kmd). (Entered: 11/02/2023)

- 11/02/2023 23 MOTION for Leave to permit JOHN S. SPADARO to File an Amicus Brief *MOTION OF PUBLIC CITIZEN, PATIENTS FOR AFFORDABLE DRUGS NOW, DOCTORS FOR AMERICA, PROTECT OUR CARE, AND FAMILIES USA FOR LEAVE TO FILE BRIEF OF AMICI CURIAE* - filed by Public Citizen Litigation Group, et al. (Attachments: # 1 Exhibit BRIEF OF AMICI CURIAE PUBLIC CITIZEN, PATIENTS FOR AFFORDABLE DRUGS NOW, DOCTORS FOR AMERICA, PROTECT OUR CARE, AND FAMILIES USA IN SUPPORT OF DEFENDANTS OPPOSITION TO PLAINTIFFS MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION, # 2 Text of Proposed Order [PROPOSED] ORDER)(Spadaro, John) (Entered: 11/02/2023)
- 11/02/2023 24 Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by Public Citizen Litigation Group, et al. (Spadaro, John) (Entered: 11/02/2023)
- 11/02/2023 25 MOTION for Pro Hac Vice Appearance of Attorney Wendy Liu - filed by Public Citizen Litigation Group, et al. (Attachments: # 1 Exhibit CERTIFICATION BY COUNSEL TO BE ADMITTED PRO HAC VICE, # 2 Text of Proposed Order [PROPOSED] ORDER) (Spadaro, John) (Entered: 11/02/2023)
- 11/02/2023 26 NOTICE of Appearance by Aubrey James Morin on behalf of Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck (Morin, Aubrey) (Entered: 11/02/2023)
- 11/02/2023 27 NOTICE of Appearance by Kevin Tyler O'Connell on behalf of Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck (O'Connell, Kevin) (Entered: 11/02/2023)
- 11/03/2023 28 MOTION for Pro Hac Vice Appearance of Attorney Alyssa M. Howard, Esquire, William B. Schultz, Esquire and Margaret Dotzel, Esquire of Zuckerman Spaeder LLP - filed by Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck. (O'Connell, Kevin) (Entered: 11/03/2023)
- 11/03/2023 SO ORDERED, re 25 MOTION for Pro Hac Vice Appearance of Attorney Wendy Liu, filed by Public Citizen, et al. Ordered by Judge Colm F. Connolly on 11/3/2023. (kmd) (Entered: 11/03/2023)
- 11/03/2023 SO ORDERED, re 28 MOTION for Pro Hac Vice Appearance of Attorney Alyssa M. Howard, Esquire, William B. Schultz, Esquire and Margaret Dotzel, Esquire of Zuckerman Spaeder LLP, filed by Paul Ginsburg, Marilyn Moon, Stuart Altman, Francis J. Crosson, Donald Berwick, Robert D. Reischauer, Robert A. Berenson, Bruce Vladeck, David Blumenthal. Ordered by Judge Colm F. Connolly on 11/3/2023. (kmd) (Entered: 11/03/2023)
- 11/06/2023 29 NOTICE of Appearance by Cassandra Snyder on behalf of All Defendants (Snyder, Cassandra) (Entered: 11/06/2023)
- 11/07/2023 30 MOTION for Pro Hac Vice Appearance of Attorney Kelly Bagby - filed by AARP. (Whitelaw, John) Modified on 11/7/2023 (kmd). (Entered: 11/07/2023)
- 11/07/2023 CORRECTING ENTRY: The document previously filed at D.I. 30 has been removed. The event code used was Amicus Curiae Appearance, however, a Motion for Pro Hac Vice of Daniel Kohrman was uploaded. Counsel shall refile the correct document with the correct code (notice of appearance or motion for pro hac vice). The Pro Hac Motion for Kelly Bagby, which was previously filed at D.I. 31, has been renumbered at D.I. 30. (kmd) (Entered: 11/07/2023)

- 11/07/2023 31 MOTION for Pro Hac Vice Appearance of Attorney Daniel Kohrman - filed by AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 CORRECTING ENTRY: The Certification of Compliance previously filed at D.I. 22 as been attached to D.I. 21. D.I. 22 has been replaced with the Memorandum in Support of D.I. 21. All future Motions, Briefs in Support, and Declarations should each be filed separately using the correct event codes. (kmd) (Entered: 11/07/2023)
- 11/07/2023 32 DEFICIENCY NOTICE by the Court issued to Xavier Becerra, Chiquita Brooks-LaSure re 22 Memorandum in Support. Pursuant to the Court's Standing Order Regarding Briefing in All Cases, dated November 10, 2022, "[t]he covers of briefs filed in connection with all motions except for motions *in limine* included in a pretrial order shall be as follows: i. Opening Brief - Blue; ii. Answering Brief - Red; iii. Reply Brief - Gray." Courtesy copies of D.I. 22 are not in compliance with the Court's standing order. Please resubmit courtesy copies of your brief with the corrected covers. (kmd) (Entered: 11/07/2023)
- 11/07/2023 33 First Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 34 Amicus Curiae APPEARANCE entered by John S. Whitelaw on behalf of AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 35 Second Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 36 Third Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 37 Fourth Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by AARP. (Whitelaw, John) (Entered: 11/07/2023)
- 11/07/2023 SO ORDERED, re MOTIONS for Pro Hac Vice Appearance of Attorneys 31 Daniel Kohrman and 30 Kelly Bagby, filed by AARP. Ordered by Judge Colm F. Connolly on 11/7/2023. (kmd) (Entered: 11/07/2023)
- 11/08/2023 Pro Hac Vice Attorney Daniel B. Kohrman for AARP added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (mpb) (Entered: 11/08/2023)
- 11/08/2023 38 MOTION for Leave to permit john whitelaw to File an Amicus Brief - filed by AARP. (Whitelaw, John) (Entered: 11/08/2023)
- 11/08/2023 39 MEMORANDUM in Support re 38 MOTION for Leave to permit john whitelaw to File an Amicus Brief filed by AARP. Answering Brief/Response due date per Local Rules is 11/22/2023. (Whitelaw, John) (Entered: 11/08/2023)
- 11/08/2023 40 OPENING BRIEF in Support re 38 MOTION for Leave to permit john whitelaw to File an Amicus Brief *Brief of Amici Supporting Defendants' Cross Motion* filed by AARP. Answering Brief/Response due date per Local Rules is 11/22/2023. (Whitelaw, John) (Entered: 11/08/2023)
- 11/08/2023 41 MOTION for Leave to permit Kimberly A. Evans to File an Amicus Brief *in Support of Defendants' Cross-Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment* - filed by American Public Health Association, The American College of Physicians, The Society of General Internal Medicine, The American Geriatrics Society, The American Society of Hematology. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit A, # 3 Certificate of Compliance)(Evans, Kimberly) (Entered: 11/08/2023)

- 11/08/2023 42 Disclosure Statement pursuant to Rule 7.1: No Parents or Affiliates Listed filed by American Public Health Association, The American College of Physicians, The American Geriatrics Society, The American Society of Hematology, The Society of General Internal Medicine. (Evans, Kimberly) (Entered: 11/08/2023)
- 11/08/2023 43 MOTION for Pro Hac Vice Appearance of Attorney Ananda V. Burra, Robin F. Thurston, and Benjamin Seel - filed by American Public Health Association, The American College of Physicians, The American Geriatrics Society, The American Society of Hematology, The Society of General Internal Medicine. (Attachments: # 1 Certification by Counsel to be Admitted Pro Hac Vice for Ananda V. Burra, # 2 Certification by Counsel to be Admitted Pro Hac Vice for Robin F. Thurston, # 3 Certification by Counsel to be Admitted Pro Hac Vice for Benjamin Seel)(Evans, Kimberly) (Entered: 11/08/2023)
- 11/08/2023 SO ORDERED, re 43 MOTION for Pro Hac Vice Appearance of Attorney Ananda V. Burra, Robin F. Thurston, and Benjamin Seel, filed by The American Society of Hematology, The American Geriatrics Society, American Public Health Association, The Society of General Internal Medicine, The American College of Physicians. Ordered by Judge Colm F. Connolly on 11/8/2023. (kmd) (Entered: 11/08/2023)
- 11/08/2023 Remark re D.I. 38 MOTION for Leave to permit John Whitelaw to File an Amicus Brief - filed by AARP: All motions must be accompanied by a draft order for the Court's signature that identifies with specificity the relief sought by the party. (kmd) (Entered: 11/08/2023)
- 11/08/2023 44 MOTION for Leave to File *Brief of Nationally Recognized Healthcare and Medicare Experts as Amici Curiae in Support of Defendants' Cross-Motion for Summary Judgment and in Opposition to Plaintiffs' Motion for Summary Judgment* - filed by Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck. (Attachments: # 1 Text of Proposed Order, # 2 Exhibit, # 3 Certificate of Compliance, # 4 Certificate of Compliance) (O'Connell, Kevin) (Entered: 11/08/2023)
- 11/08/2023 45 ORDER granting 41 Motion for Leave to File Amicus Brief - filed by American Public Health Association, The American College of Physicians, The Society of General Internal Medicine, The American Geriatrics Society, The American Society of Hematology. Signed by Judge Colm F. Connolly on 11/8/2023. (kmd) (Entered: 11/08/2023)
- 11/08/2023 46 ORDER granting 44 Motion for Leave to File - filed by Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck. Signed by Judge Colm F. Connolly on 11/8/2023. (kmd) (Entered: 11/08/2023)
- 11/08/2023 47 Amicus Curiae APPEARANCE entered by Christine Marie Mackintosh on behalf of Richard G Frank, Fiona M. Scott Morton, Aaron S. Kesselheim, Gerard F. Anderson, Rena M. Conti, David M Cutler, Jack Hoadley. (Mackintosh, Christine) (Entered: 11/08/2023)
- 11/08/2023 48 MOTION for Leave to permit Christine M. Mackintosh to File an Amicus Brief - filed by Gerard F. Anderson, Rena M. Conti, David M Cutler, Richard G Frank, Jack Hoadley, Aaron S. Kesselheim, Fiona M. Scott Morton. (Mackintosh, Christine) (Entered: 11/08/2023)
- 11/08/2023 Remark re D.I. 48 MOTION for Leave File an Amicus Brief - filed by Gerard F. Anderson, Rena M. Conti, David M Cutler, Richard G Frank, Jack Hoadley, Aaron S. Kesselheim, Fiona M. Scott Morton. All motions must be accompanied by a draft order for the Court's signature that identifies with specificity the relief sought by the party. (kmd) (Entered: 11/08/2023)
- 11/08/2023 49 OPENING BRIEF in Support re 48 MOTION for Leave to permit Christine M. Mackintosh to File an Amicus Brief , 21 Cross MOTION for Summary Judgment and

*Opposition to Plaintiffs' Motion for Summary Judgment* filed by Gerard F. Anderson, Rena M. Conti, David M Cutler, Richard G Frank, Jack Hoadley, Aaron S. Kesselheim, Fiona M. Scott Morton. Answering Brief/Response due date per Local Rules is 11/22/2023. (Mackintosh, Christine) (Entered: 11/08/2023)

- 11/08/2023 50 PROPOSED ORDER re Remark, 48 MOTION for Leave to permit Christine M. Mackintosh to File an Amicus Brief , 49 Opening Brief in Support, by Gerard F. Anderson, Rena M. Conti, David M Cutler, Richard G Frank, Jack Hoadley, Aaron S. Kesselheim, Fiona M. Scott Morton. (Mackintosh, Christine) (Entered: 11/08/2023)
- 11/08/2023 51 PROPOSED ORDER Granting Motion to file Amici Brief re 38 MOTION for Leave to permit John Whitelaw to File an Amicus Brief by AARP. (Whitelaw, John) (Entered: 11/08/2023)
- 11/09/2023 52 Amici Curiae BRIEF in Support of 21 Defendants' Cross-Motion for Summary Judgment and in Opposition to 18 Plaintiffs' Motion for Summary Judgment, filed by by Stuart Altman, Robert A. Berenson, Donald Berwick, David Blumenthal, Francis J. Crosson, Paul Ginsburg, Marilyn Moon, Robert D. Reischauer, Bruce Vladeck . (Attachments: # 1 Certificate of Compliance)(O'Connell, Kevin) Modified on 11/9/2023 (kmd). (Entered: 11/09/2023)
- 11/09/2023 Pro Hac Vice Attorney Kelly Bagby for AARP added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (smg) (Entered: 11/09/2023)
- 11/13/2023 53 ORDER granting 38 Motion for Leave to File Amicus Brief. Signed by Judge Colm F. Connolly on 11/13/2023. (nmf) (Entered: 11/13/2023)
- 11/13/2023 54 ORDER granting 48 Motion for Leave to File Amicus Brief. Signed by Judge Colm F. Connolly on 11/13/2023. (nmf) (Entered: 11/13/2023)
- 11/16/2023 Pro Hac Vice Attorney Ananda V. Burra, Robin F. Thurston, Ben Seel for American Public Health Association, The American College of Physicians, The American Geriatrics Society, The American Society of Hematology, and The Society of General Internal Medicine added for electronic noticing. Pursuant to Local Rule 83.5 (d)., Delaware counsel shall be the registered users of CM/ECF and shall be required to file all papers. (apk) (Entered: 11/16/2023)
- 11/16/2023 55 BRIEF OF AMICI CURIAE AARP, AARP FOUNDATION, CENTER FOR MEDICARE ADVOCACY, JUSTICE IN AGING, AND THE MEDICARE RIGHTS CENTER SUPPORTING DEFENDANTS CROSS- MOTION FOR SUMMARY JUDGMENT AND OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT re 21 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* (nmf) (Entered: 11/16/2023)
- 11/16/2023 56 BRIEF OF THE AMERICAN PUBLIC HEALTH ASSOCIATION, THE AMERICAN COLLEGE OF PHYSICIANS, THE SOCIETY OF GENERAL INTERNAL MEDICINE, THE AMERICAN GERIATRICS SOCIETY, AND THE AMERICAN SOCIETY OF HEMATOLOGY AS AMICI CURIAE IN SUPPORT OF DEFENDANTS' CROSS-MOTION FOR SUMMARY JUDGMENT AND IN OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT re 21 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* (nmf) (Entered: 11/16/2023)
- 11/30/2023 57 NOTICE of Appearance by Christine L. Coogle on behalf of All Defendants (Coogle, Christine) (Entered: 11/30/2023)
- 12/01/2023 58 BRIEF (Combined Answering and Reply) re 21 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment*, 18 MOTION for Summary



Judgment filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. Reply Brief due date per Local Rules is 12/8/2023. (Attachments: # 1 Word Count Certification, # 2 Text of Proposed Order)(Joyce, Alexandra) (Entered: 12/01/2023)

- 12/01/2023 59 DECLARATION re 58 Brief (Combined Answering and Reply), of *Marlan Golden* by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Attachments: # 1 Exhibit 1-15)(Joyce, Alexandra) (Entered: 12/01/2023)
- 12/01/2023 60 DECLARATION re 58 Brief (Combined Answering and Reply), of *Jim Ader* by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Joyce, Alexandra) (Entered: 12/01/2023)
- 01/05/2024 61 REPLY BRIEF re 21 Cross MOTION for Summary Judgment *and Opposition to Plaintiffs' Motion for Summary Judgment* filed by Xavier Becerra, Chiquita Brooks-LaSure. (Snyder, Cassandra) (Entered: 01/05/2024)
- 01/29/2024 62 NOTICE of Appearance by Jacob Laksin on behalf of All Defendants (Laksin, Jacob) (Entered: 01/29/2024)
- 01/29/2024 63 NOTICE of Appearance by Brian David Netter on behalf of All Defendants (Netter, Brian) (Entered: 01/29/2024)
- 01/31/2024 Minute Entry for proceedings held before Judge Colm F. Connolly - Oral Argument held on 1/31/2024. (Court Reporter Bonnie Archer.) (nmf) (Entered: 01/31/2024)
- 02/01/2024 64 Official Transcript of Oral Argument held on January 31, 2024 before Chief Judge Connolly. Court Reporter/Transcriber Bonnie Archer, Email: Bonnie\_Archer@ded.uscourts.gov. Transcript may be viewed at the court public terminal or order/purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, it may be obtained through PACER. Redaction Request due 2/22/2024. Redacted Transcript Deadline set for 3/4/2024. Release of Transcript Restriction set for 5/1/2024. (nmf) (Entered: 02/01/2024)
- 02/06/2024 65 ORDER. No later than February 12, 2024, each side shall file supplemental briefing, not to exceed 2,000 words, addressing whether Plaintiffs have standing to assert Count III. (Set Deadlines: Notice of Compliance deadline set for 2/12/2024.) Signed by Judge Colm F. Connolly on 2/6/2024. (kmd) (Entered: 02/06/2024)
- 02/12/2024 66 RESPONSE to Order re 65 Order,, Set Deadlines, (*Defendants' Supplemental Response on Article III Standing*) filed by Xavier Becerra, Chiquita Brooks-LaSure. (Pezzi, Stephen) (Entered: 02/12/2024)
- 02/12/2024 67 Supplemental OPENING BRIEF in Support re 18 MOTION for Summary Judgment *and In Opposition to the Government's Motion for Summary Judgment* filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. Answering Brief/Response due date per Local Rules is 2/26/2024. (Attachments: # 1 Word Count Certification)(Silver, Daniel) (Entered: 02/12/2024)
- 02/29/2024 68 ORDER granting 23 Motion for Leave to File Amicus Brief. Signed by Judge Colm F. Connolly on 2/29/2024. (nmf) (Entered: 03/01/2024)
- 02/29/2024 69 BRIEF OF AMICI CURIAE PUBLIC CITIZEN, PATIENTS FOR AFFORDABLE DRUGS NOW, DOCTORS FOR AMERICA, PROTECT OUR CARE, AND FAMILIES USA IN SUPPORT OF DEFENDANTS' OPPOSITION TO PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION(nmf) (Entered: 03/01/2024)
- 03/01/2024 70 MEMORANDUM OPINION Signed by Judge Colm F. Connolly on 3/1/2024. (nmf) (Entered: 03/01/2024)

- 03/01/2024     71   ORDER DENYING 18 Plaintiffs' Motion for Summary Judgment; GRANTING 21 Defendants' Cross-Motion for Summary Judgment. Signed by Judge Colm F. Connolly on 3/1/2024. (nmf) (Entered: 03/01/2024)
- 03/01/2024     72   JUDGMENT in favor of Chiquita Brooks-LaSure, Xavier Becerra against AstraZeneca AB, AstraZeneca Pharmaceuticals LP (CASE CLOSED) Signed by Judge Colm F. Connolly on 3/1/2024. (nmf) (Entered: 03/01/2024)
- 04/29/2024     73   NOTICE OF APPEAL of 70 Memorandum Opinion, 72 Judgment, 71 Order on Motion for Summary Judgment, . Appeal filed by AstraZeneca AB, AstraZeneca Pharmaceuticals LP. (Silver, Daniel) (Entered: 04/29/2024)
- 04/29/2024     APPEAL - Credit Card Payment received re 73 Notice of Appeal (Third Circuit) filed by AstraZeneca Pharmaceuticals LP, AstraZeneca AB. ( Filing fee \$605, receipt number ADEDC-4395418.) (Silver, Daniel) (Entered: 04/29/2024)
- 05/02/2024     74   NOTICE of Docketing Record on Appeal from USCA for the Third Circuit re 73 Notice of Appeal (Third Circuit) filed by AstraZeneca Pharmaceuticals LP, AstraZeneca AB. USCA Case Number 24-1819. USCA Case Manager: Alicia (DOCUMENT IS RESTRICTED AND CAN ONLY BE VIEWED BY COURT STAFF) (ca3amr) (Entered: 05/02/2024)

### **CERTIFICATE OF SERVICE**

I certify that the foregoing Addendum to Appendix was filed with the Clerk using the appellate CM/ECF system on July 17, 2024. All counsel of record are registered CM/ECF users, and service will be accomplished by the CM/ECF system. I also hereby certify that pursuant to Third Circuit Local Appellate Rule 30.1, four paper copies of the foregoing Addendum to Appendix were sent on today's date via overnight Federal Express to the Clerk of this Court.

July 17, 2024

/s/ Catherine E. Stetson  
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