

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ASTRAZENECA PHARMACEUTICALS LP,

*Plaintiff,*

v.

XAVIER BECERRA, in his official capacity  
as Secretary of the U.S. Department of Health  
and Human Services;

DANIEL J. BARRY, in his official capacity as  
Acting General Counsel of the U.S.  
Department of Health and Human Services;

DIANA ESPINOSA, in her official capacity as  
Acting Administrator of the Health Resources  
and Services Administration;

U.S. DEPARTMENT OF HEALTH AND  
HUMAN SERVICES; and

HEALTH RESOURCES AND SERVICES  
ADMINISTRATION,

*Defendants.*

C.A. No. 21-27 (LPS)

ADMINISTRATIVE PROCEDURE ACT  
REVIEW OF AGENCY DECISION

**STIPULATION AND [PROPOSED] ORDER TO EXTEND TIME**

WHEREAS, on June 16, 2021, this Court issued a Memorandum Opinion and Order (D.I. Nos. 78, 79), and directed the parties to submit a joint status report by June 18, 2021;

WHEREAS, on June 17, 2021 President Biden signed into law legislation creating a federal holiday to commemorate Juneteenth, and as result, the District Court will be closed on June 18, 2021 in observance of the Juneteenth holiday; and

WHEREAS, counsel for Defendants has informed Plaintiff that Defendants will be withdrawing the Advisory Opinion that is at issue in this litigation, and Plaintiff requires additional time to consider the implications of this information;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendants, through their undersigned counsel and subject to the approval of the Court, that the parties' deadline to submit a joint status report is hereby extended to and including Monday, June 21, 2021 (from Friday, June 18, 2021).

Dated: June 18, 2021

MCCARTER & ENGLISH, LLP

/s/ Daniel M. Silver

Michael P. Kelly (#2295)  
Daniel M. Silver (#4758)  
Alexandra M. Joyce (#6423)  
Renaissance Centre  
405 N. King St., 8th Floor  
Wilmington, DE 19801  
Tel.: (302) 984-6300  
Fax: (302) 984-6399  
mkelly@mccarter.com  
dsilver@mccarter.com  
ajoyce@mccarter.com

*Of Counsel:*

Allon Kedem  
Jeffrey L. Handwerker  
Sally L. Pei  
Stephen K. Wirth  
ARNOLD & PORTER KAYE SCHOLER LLP  
601 Massachusetts Ave., NW  
Washington, DC 20001-3743  
Tel.: (202)942-5000  
Fax: (202) 942-5999  
allon.kedem@arnoldporter.com  
jeffrey.handwerker@arnoldporter.com  
sally.pei@arnoldporter.com  
stephen.wirth@arnoldporter.com

*Attorneys for Plaintiff AstraZeneca  
Pharmaceuticals LP*

UNITED STATES DEPARTMENT OF JUSTICE

BRIAN NETTER  
Deputy Assistant Attorney General

MICHELLE BENNETT  
Assistant Branch Director

/s/ Rachael Westmoreland

Rachael L. Westmoreland  
Kate Talmor  
Jody Lowenstein  
United States Department of Justice  
Civil Division  
Federal Programs Branch  
1100 L Street NW  
Washington, DC 20005  
(202) 514-1280  
rachael.westmoreland@usdoj.gov

*Attorneys for Defendants*

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
THE HONORABLE CHIEF JUDGE LEONARD P. STARK