IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION

ELI LILLY AND COMPANY, and LILLY USA, LLC

Plaintiffs,

v.

No. 1:21-cv-81-SEB-MJD

U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, *et al.*,

Defendants.

NOTICE OF APPEAL

PLEASE TAKE NOTICE that all Defendants hereby appeal to the United States Court of

Appeals for the Seventh Circuit from this Court's Order, ECF No. 144, and Partial Final Judgment,

ECF No. 145, dated October 29, 2021.

Dated: December 28, 2021

Respectfully submitted,

BRIAN D. NETTER Deputy Assistant Attorney General

MICHELLE R. BENNETT Assistant Branch Director

<u>/s/ Kate Talmor</u> KATE TALMOR JODY D. LOWENSTEIN Trial Attorneys U.S. Department of Justice Civil Division, Federal Programs Branch 1100 L Street, N.W. Washington, D.C. 20005 (202) 305-5267 kate.talmor@usdoj.gov

Attorneys for Defendants