

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

ELI LILLY AND COMPANY, and
LILLY USA, LLC

Plaintiffs,

v.

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

Defendants.

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

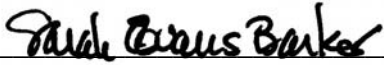
ORDER GRANTING STIPULATED BRIEFING SCHEDULE

In consideration of the parties' request that the Court enter a stipulated schedule for briefing the merits of Plaintiffs' Amended Complaint, good cause having been shown, the Court hereby GRANTS the request and orders:

- Defendants will produce the administrative record of HHS's General Counsel's Advisory Opinion on **March 23, 2021**.
- Defendants will produce the administrative record of HHS's newly promulgated Administrative Dispute Resolution rule on **April 6, 2021**.
- Defendants will move to dismiss for lack of subject-matter jurisdiction and failure to state a claim or, in the alternative, for summary judgment on **April 19, 2021**.
- Plaintiffs will oppose Defendants' motion to dismiss and cross-move for summary judgment on **May 10, 2021**.
- Defendants will reply in support of their motion to dismiss and oppose Plaintiffs' cross-motion for summary judgment on **May 31, 2021**.
- Plaintiffs will reply in support of their motion for summary judgment on **June 14, 2021**.
- Hearing on the parties' motions to be held at the Court's convenience thereafter.
- Each side shall have 60 pages for their opening brief, and 30 pages for their reply brief.

- The parties are excused from compliance with Local Civil Rule 56-1 in that they are not required to include statements of material facts in dispute in their summary-judgment briefing.

Dated: 3/29/2021



SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

Order served on all counsel of record via ECF