

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ELI LILLY AND COMPANY,)
LILLY USA, LLC,)
)
Plaintiffs,)

v.)

No. 1:21-cv-00081-SEB-MJD

ROBERT P. CHARROW in his official capacity)
as General Counsel of Health & Human Services,)
UNITED STATES DEPARTMENT OF HEALTH)
AND HUMAN SERVICES,)
HEALTH RESOURCES AND SERVICES)
ADMINISTRATION,)
NORRIS COCHRAN in his official capacity as)
Acting Secretary of Health & Human Services,)
DIANA ESPINOZA in her official capacity as)
Acting Administrator of the Health Resources and)
Services Administration,)
)
Defendants.)

ORDER

The Court hereby sets this matter for a video hearing on Plaintiff's Motion for Temporary Restraining Order on May 27, 2021 at 3:00 p.m. before Judge Sarah Evans Barker. The court will contact counsel by separate email with the information to be used to participate in this hearing. The public may listen to the hearing calling 1-646-828-7666. Participants will be required to enter Meeting ID 160 823 0452 and Passcode 462451 before being connected to the hearing.

The parties are each ordered to file with the Court a briefing memo, no longer than ten pages, prior to the hearing on May 27, 2021.

Currently pending before the Court is the Motion to Intervene filed by the American Hospital Association, 340B Health, America's Essential Hospitals, the Association of American Medical Colleges, National Association of Children's Hospitals d/b/a the Children's Hospital Association, and American Society of Health-System Pharmacists. Due to the time exigencies associated with the TRO request and the fact that any interests the proposed intervenors may have in the issues that will be presented at the TRO hearing will be adequately represented by Defendants, the proposed intervenors' request is DENIED as to the TRO hearing. The Court will rule as quickly as possible on the motion as it relates to the underlying merits of this case.

All participants granted remote access to proceedings are reminded of the general prohibition against photographing, recording, and rebroadcasting of court proceedings. Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the court.

FURTHER, this cause is set for an **in person** hearing on Plaintiffs' Motion for Preliminary Injunction on June 16, 2021 at 10:15 a.m. in Room 216 of the United States Courthouse in Indianapolis, Indiana.

IT IS SO ORDERED.

Date: 5/24/2021



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

Distribution:

AMERICA'S ESSENTIAL HOSPITALS

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