[NOT YET SCHEDULED FOR ORAL ARGUMENT]

IN THE UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT

Novartis Pharmaceuticals Corp.,

Plaintiff-Appellee,

v.

Carole Johnson, in her official capacity as Administrator of the U.S. Health Resources and Services Administration, et al., No. 21-5299

Defendants-Appellants.

STATEMENT OF INTENT CONCERNING DEFERRED JOINT APPENDIX

Defendants-Appellants do not intend to use a deferred appendix.

Respectfully submitted.

<u>/s/ Daniel Aguilar</u> DANIEL AGUILAR (202) 514-5432 Attorney, Appellate Staff Civil Division U.S. Department of Justice 950 Pennsylvania Ave., N.W. Washington, DC 20530

JANUARY 2022