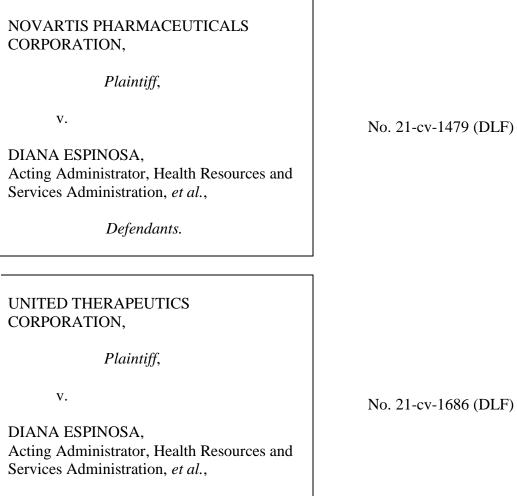
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA



Defendants.

No. 21-cv-1686 (DLF)

ORDER

For the reasons stated in the accompanying Memorandum Opinion, it is

ORDERED that the plaintiffs' Motions for Summary Judgment, Dkt. 19 (Novartis), Dkt.

14 (United Therapeutics) are GRANTED IN PART and DENIED IN PART. The Motions are

GRANTED as to the plaintiffs' request for vacatur and declaratory relief that the conditions set

forth in their new 340B policies are not prohibited by Section 340B on the grounds stated in the

Violation Letters and advanced by the Health Resources and Services Administration in this

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litigation, namely that the statute's plain language, purpose, and structure prohibit manufacturers from imposing any conditions on their offers, and **DENIED** as to the plaintiffs' requests for other relief. It is further

ORDERED that defendants' Motions for Summary Judgment, Dkt. 13 (*Novartis*), Dkt. 16 (*United Therapeutics*) are **DENIED**.

The Clerk of Court is directed to close this case.

SO ORDERED.

Dabury L. Friedrich DABNEY L. FRIEDRICH

DABNEY L. FRIEDRICH United States District Judge

November 5, 2021