

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PHARMACEUTICAL RESEARCH AND
MANUFACTURERS OF AMERICA,

Plaintiff,

vs.

XAVIER BECERRA, et al.

Defendants.

Civil Action No. 8:21-cv-198-DLB

JOINT STATUS REPORT

In light of the Court's Order dated July 23, 2024, ECF No. 64, counsel for Plaintiff Pharmaceutical Research and Manufacturers of America (PhRMA) and counsel for Defendants Xavier Becerra, *et al.*, submit this Joint Status Report.

On February 27, 2023, the Court granted the parties' request to stay this case "pending completion of the defendants' ongoing rulemaking proceeding relating to the 340B administrative dispute resolution rule." ECF No. 51. The Department of Health and Human Services (HHS) and the Health Resources and Services Administration (HRSA) published the ADR Rule in the Federal Register on April 19, 2024. *See 340B Drug Pricing Program; Administrative Dispute Resolution Regulation*, 89 Fed. Reg. 28,643 (Apr. 19, 2024); <https://www.hrsa.gov/opa/340b-administrative-dispute-resolution>. The ADR Rule took effect on June 18, 2024. *See* 89 Fed. Reg. at 28,643.

At this time, PhRMA is continuing to evaluate its position on the impact of the ADR Rule on this litigation. Accordingly, the parties propose that they file a further Joint

Status Report on November 15, 2024, which will enable them to better advise the Court regarding proposed next steps for this action.

Date: September 13, 2024

/s/ Jody D. Lowenstein

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