

MINUTE ORDER. In their Motion, Plaintiffs request that the Court treat the previously filed Motion for Summary Judgment as filed on behalf of both Plaintiffs Merck & Co, Inc. and Merck Sharp & Dohme LLC and allow the current briefing schedule to stay in place. Defendants' Response states that "all parties agree that the Court has the discretion to issue an order" doing so, but that it would be a "depart[ure] from what would otherwise be the routine and natural consequence of Plaintiffs' decision to amend their complaint." Defendants do not provide any argument as to why the Court should not use its discretion to do so, as Plaintiffs point out in their Reply. In the interest of judicial efficiency, the Court GRANTS the Motion and ORDERS that Plaintiff Merck Sharp & Dohme LLC should be considered as joining in the Motion for Summary Judgment filed by Plaintiff Merck & Co, Inc; Defendants' Cross-Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment is therefore considered as against both Plaintiffs; Defendants shall file a reply in support of their Cross-Motion by NOVEMBER 21, 2023, consistent with the Court's previous Order; and Defendants need not file an Answer to the Amended Complaint. Signed by Judge Colleen Kollar-Kotelly on 10/31/23.