

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

BRISTOL MYERS SQUIBB COMPANY,

Plaintiff,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Civil Action No. 23-3335 (ZNQ) (JBD)

ORDER

JANSSEN PHARMACEUTICALS, INC.,

Plaintiff,

v.

XAVIER BECERRA, *et al.*,

Defendants.

Civil Action No. 23-3818 (ZNQ) (JBD)

QURAIISHI, District Judge

THIS MATTER comes before the Court upon Cross-Motions for Summary Judgment. Plaintiff Bristol Myers Squibb Company (“BMS”) and Plaintiff Janssen Pharmaceuticals, Inc. (“Janssen”) (collectively, “Plaintiffs”) each filed a Motion for Summary Judgment. (“BMS’s Motion”, ECF No. 36; “Janssen’s Motion”, ECF No. 30). Defendants Xavier Becerra, Chiquita Brooks-Lasure, U.S. Department of Health & Human Services (“HHS”), Centers for Medicare & Medicaid Services (“CMS”), and Ananda V. Burra (collectively, “Defendants”) filed Cross-Motions for Summary Judgment (“Defendants’ Cross-Motion for Summary Judgment”) against

BMS (ECF No. 38) and Janssen (ECF No. 33.) For the reasons set forth in the accompanying Opinion,

IT IS on this **29th** day of **April 2024**,

ORDERED that Defendants' Cross-Motion for Summary Judgment against BMS (ECF No. 38) and Defendants' Cross-Motion for Summary Judgment against Janssen (ECF No. 33) are hereby **GRANTED**; and it is further

ORDERED that Judgment is hereby entered for Defendants and against Plaintiffs as to all claims; and it is further

ORDERED that BMS's Motion (ECF No. 36) and Janssen's Motion (ECF No. 30) are hereby **DENIED**; and it is further

ORDERED that the Clerk is instructed to mark this matter **CLOSED**.

s/ Zahid N. Quraishi _____
ZAHID N. QURAISHI
UNITED STATES DISTRICT JUDGE