

**UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO
Denver**

AMGEN INC.;
IMMUNEX CORPORATION; and
AMGEN MANUFACTURING, LIMITED,

Plaintiffs,

v.

COLORADO PRESCRIPTION
DRUG AFFORDABILITY REVIEW BOARD;
GAIL MIZNER, MD, in her official capacity as Chair of the
Colorado Prescription Drug Affordability Review Board;
SAMI DIAB, MD, in his official capacity as a member of the
Colorado Prescription Drug Affordability Review Board;
AMARYLIS GUTIERREZ, PharmD, in her official capacity as
a member of the Colorado Prescription Drug Affordability
Review Board;
CATHERINE HARSHBARGER, in her official capacity as a
member of the Colorado Prescription Drug Affordability
Review Board;
JAMES JUSTIN VANDENBERG, PharmD, in his official
capacity as a member of the Colorado Prescription Drug
Affordability Review Board;
MICHAEL CONWAY, in his official capacity as
Commissioner of the Colorado Division of Insurance; and
PHILIP WEISER, in his official capacity as Attorney General
of the State of Colorado,

Defendants.

**Civil Action No.
1:24-cv-00810-NYW**

**NOTICE OF VOLUNTARY DISMISSAL OF CLAIMS AGAINST DEFENDANT
COLORADO PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs Amgen Inc., Immunex Corporation, and Amgen Manufacturing, Limited voluntarily dismiss

their claims against only the first-named defendant, the Colorado Prescription Drug Affordability Review Board, without prejudice. Dismissal is proper under Rule 41(a)(1)(A)(i) because no party has served either an answer or a motion for summary judgment. Plaintiffs are not dismissing their claims against any other defendant and intend to proceed with this action against the Chair and members of the Board, the Commissioner of the Colorado Division of Insurance, and the Colorado Attorney General, all in their official capacities.

Dated: May 16, 2024

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Respectfully submitted,

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this May 16, 2024, I electronically filed the foregoing NOTICE OF VOLUNTARY DISMISSAL OF CLAIMS AGAINST DEFENDANT COLORADO PRESCRIPTION DRUG AFFORDABILITY REVIEW BOARD with the Clerk of the Court using the CM/ECF system which will send notification of such filing to attorneys of record.

/s/ Ashley C. Parrish
Ashley C. Parrish

Counsel for Plaintiffs