

## COVINGTON

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By ACMS

February 14, 2025

Catherine O'Hagan Wolfe  
Clerk of Court  
U.S. Court of Appeals for the Second Circuit  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, New York 10007

**Re: No. 24-2092, *Boehringer Ingelheim Pharmaceuticals, Inc. v. U.S. Dept. of Health and Human Services, et al.*, Letter on Substitution of Parties Pursuant to FRAP 43(c)(2)**

Dear Ms. Wolfe:

Pursuant to consultation with the case manager, this letter provides notice that one of the Defendants-Appellees in the above-captioned case should be substituted pursuant to Federal Rule of Appellate Procedure 43(c)(2). On February 13, 2025, the Senate confirmed Robert F. Kennedy, Jr. as the Secretary of Health and Human Services. Accordingly, Secretary Kennedy should replace Acting Secretary of Health and Human Services Dr. Dorothy Fink on the Court's docket.

Plaintiff-Appellant Boehringer Ingelheim Pharmaceuticals, Inc. will amend the caption on the cover of its reply brief, due today, February 14, 2025, to reflect this substitution. Thank you for your attention to this matter.

Sincerely,

/s/ Kevin King  
Kevin King  
Counsel for Plaintiff-  
Appellant

cc: Counsel of Record