

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

TEVA PHARMACEUTICALS USA,
INC.,

Plaintiff,

v.

MICHAEL CONWAY, in his official
capacity as Commissioner of the
Colorado Division of Insurance, and
PHILIP J. WEISER, in his official
capacity as Attorney General of the
State of Colorado,

Defendants.

Case No.: 23-cv-2584

**PLAINTIFF’S MOTION FOR
PRELIMINARY INJUNCTION
ORAL ARGUMENT REQUESTED**

Pursuant to Federal Rule of Civil Procedure 65(a), the Fifth Amendment of the United States Constitution, and the Local Rules of the District of Colorado, Plaintiff Teva Pharmaceuticals USA, Inc. (“Teva”) seeks a preliminary injunction enjoining Michael Conway, in his official capacity as Commissioner of the Colorado Division of Insurance, and Philip J. Weiser, in his official capacity as the Attorney General of Colorado, from implementing and enforcing the epinephrine auto-injector “affordability program” created by section 3 of House Bill 23-1002 (“HB 23-1002”). The requested relief would avert irreparable injury to Teva and the public interest during the pendency of this litigation. Because HB 23-1002 is

scheduled to go into effect on January 1, 2024, Teva respectfully requests that this Court enter the requested injunction no later than December 31, 2023.

Dated: October 3, 2023

Respectfully submitted,

/s/ Alexandra I. Russell

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