

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

Civil Action No. 23-cv-2584-DDD-JPO

TEVA PHARMACEUTICALS USA, INC.,
Plaintiff,

v.

PHILIP J. WEISER, in his official capacity as Attorney General of the State of Colorado, and
PATRICIA A. EVACKO, ERIC FRAZER, RYAN LEYLAND, JAYANT PATEL, AVANI
SONI, KRISTEN WOLF, and ALEXANDRA ZUCCARELLI, in their official capacity as
members of the Colorado State Board of Pharmacy,

Defendants.

JOINT NOTICE OF APPEAL FROM AN APPEALABLE ORDER

Defendants Philip J. Weiser, in his official capacity as Colorado Attorney General, and
Patricia A. Evacko, Erick Frazer, Ryan Leyland, Jayant Patel, Avani Soni, Kristen Wolf, and
Alexandra Zuccarelli, in their official capacities as members of the Colorado State Board of
Pharmacy, hereby jointly appeal to the United States Court of Appeals for the Tenth Circuit from
the Order Denying Defendants’ Motion to Dismiss entered on December 27, 2023 [Doc. 50]. *See,*
e.g., Puerto Rico Aqueduct & Sewer Auth. v. Metcalf & Eddy, Inc., 506 U.S. 139, 147 (1993)
(Arms of the state “may take advantage of the collateral order doctrine to appeal a district court
order denying a claim of Eleventh Amendment immunity.”).

DATED: January 26, 2023.

PHILIP J. WEISER

Attorney General

s/ Pawan Nelson

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s/ Jennifer Johnson

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Zuccarelli*