

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Pharmaceutical Research and
Manufacturers of America,

Plaintiff,

v.

Stuart Williams, Stacey Jassey, Mary Phipps, Andrew Behm, James Bialke, Amy Paradis, Rabih Nahas, Samantha Schirmer, and Kendra Metz, in their official capacities as members of the Minnesota Board of Pharmacy; and

Nate Clark, Peter Benner, Suyapa Miranda, David Fisher, Jodi Harpstead, Phil Norrgard, Stephanie Stoffel, and Andrew Whitman, in their official capacities as members of the Board of MNsure,

Defendants.

Case No. 20-cv-01497-DSD-DTS

**STIPULATION OF DISMISSAL
WITHOUT PREJUDICE OF CLAIMS
AGAINST DEFENDANTS NATE
CLARK, PETER BENNER, SUYAPA
MIRANDA, DAVID FISHER, JODI
HARPSTEAD, PHIL NORRGARD,
STEPHANIE STOFFEL, AND
ANDREW WHITMAN**

Defendants' Memorandum Supporting Motion to Dismiss represents, on page 13, that (1) "the MNsure board members ... have no connection with the enforcement of the [Alec Smith Insulin Affordability] Act"; that (2) the "law gives only the Board of Pharmacy authority to assess penalties for noncompliance with the Act, Minn. Stat. § 151.74, subd. 10"; and (3) that "Defendant Nate Clark" is "a MNsure staff member" with "no conceivable enforcement connection to the Act." Based on those representations, Plaintiff agrees to dismiss without prejudice its claims against

Defendants Nate Clark, Peter Benner, Suyapa Miranda, David Fisher, Jodi Harpstead, Phil Norrgard, Stephanie Stoffel, and Andrew Whitman, in their official capacities as members of the board or staff of MNsure. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), the parties hereby stipulate to the dismissal of the claims against these defendants.

Dated: September 17, 2020

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-and-

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