

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

ASSOCIATION FOR ACCESSIBLE
MEDICINES,

Plaintiff,

v.

KEITH ELLISON,
in his official capacity as Attorney
General of the State of Minnesota,

Defendant.

Case No. 23-cv-2024 (PJS/JFD)

ORDER AND FINAL JUDGMENT

Upon consideration of the Court's December 4, 2023, Order granting plaintiff's motion for preliminary injunction and granting in part and denying in part defendant's motion to dismiss [ECF No. 42]; the June 12, 2025, Opinion and Judgment of the United States Court of Appeals for the Eighth Circuit affirming this Court's Order [ECF Nos. 56-58]; and the parties' Stipulation, it is hereby:

ORDERED that judgment be entered on plaintiff's first cause of action in favor of plaintiff and against defendant;

DECLARED that, for the reasons stated in the Court's Order and the Eighth Circuit's Opinion, the challenged statute (Laws of Minnesota 2023, ch. 57, art. 2 §§ 22–23, 25–26, *codified at* Minn. Stat. §§ 62J.841–62J.842, 62J.844–62J.845) is invalid and

unenforceable as applied to the sale of generic or off-patent drugs occurring outside of Minnesota;

ORDERED that defendant, and all of his officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with him, are PERMANENTLY ENJOINED from enforcing, or taking any other action under, Laws of Minnesota 2023, ch. 57, art. 2 §§ 22–23, 25–26, *codified at* Minn. Stat. §§ 62J.841–62J.842, 62J.844–62J.845, against any of plaintiff’s members, or any of the members’ agents, privies, or licensees, based on any member’s sale of generic or off-patent drugs outside of Minnesota;

ORDERED that this Court will retain jurisdiction to enforce the terms of this Judgment; and

ORDERED that plaintiff’s second and fourth causes of action are DISMISSED WITHOUT PREJUDICE as moot.

Plaintiff’s third and fifth causes of action were previously dismissed without prejudice.

Any motion for attorney’s fees and related nontaxable expenses and any bill of costs shall be filed within 30 days after the entry of judgment.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: November 21, 2025

/s/ Patrick J. Schiltz
Patrick J. Schiltz, Chief Judge
United States District Court

UNITED STATES DISTRICT COURT
District of Minnesota

Association for Accessible Medicines

JUDGMENT IN A CIVIL CASE

Plaintiff,

v.

Case Number: 23-cv-02024-PJS-JFD

Keith Ellison

Defendant.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

judgment be entered on plaintiff's first cause of action in favor of plaintiff and against defendant;

DECLARED that, for the reasons stated in the Court's Order and the Eighth Circuit's Opinion, the challenged statute (Laws of Minnesota 2023, ch. 57, art. 2 §§ 22–23, 25–26, codified at Minn. Stat. §§ 62J.841–62J.842, 62J.844–62J.845) is invalid and unenforceable as applied to the sale of generic or off-patent drugs occurring outside of Minnesota;

ORDERED that defendant, and all of his officers, agents, servants, employees, and attorneys, and all persons in active concert or participation with him, are PERMANENTLY ENJOINED from enforcing, or taking any other action under, Laws of Minnesota 2023, ch. 57, art. 2 §§ 22–23, 25–26, codified at Minn. Stat. §§ 62J.841–62J.842, 62J.844– 62J.845, against any of plaintiff's members, or any of the members' agents, privies, or licensees, based on

any member's sale of generic or off-patent drugs outside of Minnesota;

ORDERED that this Court will retain jurisdiction to enforce the terms of this Judgment;

and

ORDERED that plaintiff's second and fourth causes of action are DISMISSED WITHOUT PREJUDICE as moot.

Plaintiff's third and fifth causes of action were previously dismissed without prejudice.

Any motion for attorney's fees and related nontaxable expenses and any bill of costs shall be filed within 30 days after the entry of judgment.

Date: 11/21/2025

KATE M. FOGARTY, CLERK
