

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

THE STATE OF MISSOURI, et al.,)
)
 Intervenor Plaintiffs,)
)
 v.) Case No. 4:25-CV-1580-CMS
)
 U.S. FOOD AND DRUG)
 ADMINISTRATION, et al.,)
)
 Defendants.)

ORDER

Before the Court is Intervenor-Defendant Danco Laboratories, LLC’s Motion for Leave to File Consolidated Response, (Doc. 283), and Intervenor-Defendant GenBioPro, Inc.’s Motion for Leave to File Consolidated Response, (Doc. 285). The Intervenor-Defendants request that the Court grant them leave to file a “consolidated response to [Intervenor-]Plaintiffs’ Amended and Supplemental Complaints.” (Doc. 283 ¶5; Doc. 285 ¶5). Intervenor-Defendant Danco requests a deadline of March 6, 2026, while Intervenor-Defendant GenBioPro requests a deadline of March 13, 2026. *Id.*

The Intervenor-Plaintiffs filed their Amended Complaint on January 16, 2025. (Doc. 217). Shortly thereafter, the Federal Defendants and Intervenor-Defendant Danco each filed motions to dismiss that Amended Complaint. (Docs. 218, 221). On December 19, 2025, the Court granted Intervenor-Plaintiffs’ Motion for Leave to Supplement the Amended Complaint, (Docs. 277, 280), and the Intervenor-Plaintiffs filed their Supplemental Complaint the same day, (Doc. 281). Three days later, the Court granted Federal Defendants’ request to file a consolidated response to Intervenor-Plaintiffs’ Amended and Supplemental Complaints. (Doc. 282).

Federal Rule of Civil Procedure 15(d) authorizes the Court to “order that [an] opposing party plead to [a] supplemental pleading within a specified time.” The same judicial economy interests in favor of granting the Federal Defendants’ request to a file a consolidated response, *see* (Doc. 282 at 2), also weigh in favor of granting Intervenor-Defendants’ motions for leave to file consolidated response. Intervenor-Defendant GenBioPro’s request for an additional week to file their consolidated response to allow them “to review the Federal Defendants’ and Danco’s responses and tailor their own response accordingly, such as by joining or incorporating by reference other parties’ arguments where appropriate,” (Doc. 285 ¶5), may forestall redundant briefing and likewise strikes the Court as eminently sensible.

Accordingly, **IT IS HEREBY ORDERED** that Intervenor-Defendant Danco Laboratories, LLC’s Motion for Leave to File Consolidated Response, (Doc. 283), is **GRANTED**. Danco Laboratories, LLC is granted to and including **March 6, 2026**, to file their consolidated response. To the extent their previously filed Motion to Dismiss Intervenor-States’ Amended Complaint, (Doc. 221), is not already entirely mooted by the filing of Plaintiffs’ Supplemental Complaint, the Court **DENIES** that motion as moot.

IT IS FURTHER ORDERED that Intervenor-Defendant GenBioPro, Inc.’s Motion for Leave to File Consolidated Response, (Doc. 285), is **GRANTED**. GenBioPro, Inc. is granted to and including **March 13, 2026**, to file their consolidated response.

So ordered this 29th day of December 2025.



CRISTIAN M. STEVENS
UNITED STATES DISTRICT JUDGE