

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

ABBVIE INC.,

Plaintiff,

V.

ROBERT F. KENNEDY JR, in his official capacity as Secretary of U.S. Department of Health and Human Services, *et al.*,

Defendants.

Abstract

Case No. 1:26-cv-1190-RDM

**340B HEALTH, UMASS MEMORIAL MEDICAL CENTER,
AND GENESIS HEALTHCARE SYSTEM'S
OPPOSITION TO PLAINTIFF'S MOTION FOR AN EXTENSION OF TIME**

340B Health, UMass Memorial Medical Center (UMMC), and Genesis HealthCare System (Genesis) (collectively the Proposed Intervenor), by and through their counsel, hereby file this Opposition to the Motion for an Extension of Time filed by Plaintiff AbbVie Inc. (AbbVie). As set forth at length in their Motion to Intervene, Proposed Intervenor meet all the requirements for intervention under Federal Rule of Civil Procedure 24(a) (and, alternatively, Rule 24(b)) and have an interest in the Court's prompt resolution of their Motion.

AbbVie has not met its burden of demonstrating good cause to support its request for a four-week extension to respond to Proposed Intervenor's Motion. Notwithstanding the listing of its counsel's other personal and professional commitments in the next month, AbbVie does not

explain *why* those other obligations would prevent it from preparing a timely response to Proposed Intervenor's straightforward Motion to Intervene.

As Proposed Intervenor stated in their motion, they are seeking to intervene in order to participate in briefing on the merits. Although AbbVie states that it does not intend to file a motion on the merits until the pending motion to dismiss is resolved, Proposed Intervenor are concerned that a four-week extension of AbbVie's deadline for responding to the motion could jeopardize Proposed Intervenor's ability to effectively participate in briefing on the merits even if the Court ultimately grants their Motion to Intervene. In summary, AbbVie should not be permitted to unduly delay consideration of Proposed Intervenor's Motion.

For the foregoing reasons, Proposed Intervenor request that the Court deny AbbVie's Motion for an Extension of Time.

Dated: June 26, 2026

Respectfully submitted,

/s/ William B. Schultz

William B. Schultz (D.C. Bar No. 218990)

Margaret M. Dotzel (D.C. Bar No. 425431)

Alyssa M. Howard (D.C. Bar No. 1708226)

ZUCKERMAN SPAEDER LLP

2100 L Street NW, Suite 400

Washington, DC 20037

Tel: (202) 778-1800

Fax: (202) 822-8106

wschultz@zuckerman.com

mdotzel@zuckerman.com

ahoward@zuckerman.com

Attorneys for Proposed Intervenor

CERTIFICATE OF SERVICE

I hereby certify that on June 26, 2026, I caused the foregoing to be electronically with the Clerk of the Court using the CM/ECF system.

/s/ William B. Schultz

William B. Schultz