

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

ABBVIE INC.,

Plaintiff,

v.

ROBERT F. KENNEDY JR., in his official
capacity, et al.,

Defendants

and

NATIONAL ASSOCIATION OF COMMUNITY
HEALTH CENTERS, INC.; and RYAN WHITE
CLINICS FOR 340B ACCESS,

Proposed Intervenor-Defendants.

No. 1:26-cv-1190-RDM

**JOINT MOTION OF PROPOSED INTERVENORS
NATIONAL ASSOCIATION OF COMMUNITY HEALTH CENTERS, INC.
AND RYAN WHITE CLINICS FOR 340B ACCESS FOR
EXTENSION OF TIME TO FILE REPLY IN SUPPORT OF MOTION TO DISMISS**

Proposed Intervenor National Association of Community Health Centers, Inc. (“NACHC”), and Ryan White Clinics for 340B Access (“RWC-340B”) (together, the “Proposed Intervenor”) ask that this Court grant them an extension of time—from August 4, 2026 to September 3, 2026—to file their reply in support of Defendants’ motion to dismiss. *See* Fed. R. Civ. P. 6(b)(1); Loc. Civ. R. 7; ECF 6 ¶ 12 (Standing Order). Good cause exists for this modest extension. In support of this motion, Proposed Intervenor state as follows:

1. AbbVie initiated this civil action on April 8, 2026. *See* Compl., ECF 1. After a four-day extension of time to answer, Defendants filed a motion to dismiss on June 16. *See* ECF 13. On June 22, this Court granted AbbVie’s unopposed motion for an extension of time to respond to the motion to dismiss. *See* Order (June 22, 2026). AbbVie filed their response to Defendants’ motion to dismiss on July 28. ECF 37.

2. On July 6, 2026, Proposed Intervenor moved to intervene as defendants in this action. *See* ECF 26. AbbVie opposed their motion on July 20, 2026. *See* ECF 34. Proposed Intervenor’s reply brief in support of this motion is due August 3, 2026. *See* Minute Order (July 24, 2026). The Court has not yet ruled on Proposed Intervenor’s motion to intervene.

3. Absent an extension, any reply in support of Defendants’ motion to dismiss is due August 4, 2026.

4. We understand that Defendants intend to seek an extension of this deadline to August 27, 2026.

5. Proposed Intervenor are seeking an extension of this deadline to one week after Defendants’ deadline, up to and including September 3, 2026.

6. Good cause exists for the requested extension. The requested extension is limited, will not affect any other deadlines set by the Court, and will permit Proposed Intervenor to

complete their reply efficiently without prejudice to any party. Plaintiff previously sought and received four-week extensions of time in this matter to respond to the pending motion to dismiss and a motion to intervene from Proposed Intervenor Mass Memorial Medical Center and Genesis HealthCare System. *See* ECF 16, 24. Those requests were granted by minute orders on June 22nd and June 30th, respectively.

7. In addition, undersigned counsel for NACHC has a number of competing personal and professional commitments in the next few weeks, including: the reply brief in support of Proposed Intervenor's motion to intervene in this matter on August 3; a reply in support of a motion for summary judgment and a response to a statement of undisputed facts, both due on August 3 in *Sanchez v. Almond*, No. 24-cv-319 (D.R.I.); and a petition for certiorari to the U.S. Supreme Court due August 7, arising from the Ninth Circuit's decision in *Hudacko v. Regents of the University of California*, No. 24-7360. Undersigned counsel also has prescheduled personal travel for a family vacation from July 30 to August 8.

8. Undersigned counsel for RWC-340B also have the following additional deadlines in the upcoming weeks: a reply brief to support a motion for summary judgment due August 10 in *AbbVie v. Rayfield*, No. 6:25-cv-01332 (D. Or.); a response to a motion for summary judgment due August 14 in *AstraZeneca v. Hanaway*, No. 2:24-cv-04143 (W.D. Mo); and a reply brief to support a motion for summary judgment due August 17 in *AstraZeneca v. Rayfield*, No. 3:25-cv-02042 (D. Or.).

9. In addition, Proposed Intervenor intends to avoid duplicating the arguments that Defendants set forth in their reply brief. A brief one-week extension beyond Defendants' deadline would give Proposed Intervenor sufficient time to review Defendants' reply brief and avoid unnecessary duplication.

10. Finally, Proposed Intervenors NACHC and RWC-340B are represented by separate counsel, so this extension would give them sufficient time to confer on their reply, especially given the other intervening deadlines noted in the two previous paragraphs. This extension would not affect any other deadlines in this matter.

11. Pursuant to Local Rule 7(m) and the Court's Standing Order, ECF 6 ¶ 12, counsel for Proposed Intervenors conferred with counsel for Plaintiff and Defendants. Plaintiff's counsel stated as follows: "AbbVie objects to the extension request. Proposed intervenors are not parties, and their intervention request was premised on the notion that their joining the case would not affect its timing." Defendants' counsel stated that they consent to this request.

Accordingly, Proposed Intervenors request that the Court extend the deadline for them to file their reply in support of Defendants' motion to dismiss from August 4, 2026, to September 3, 2026.

Dated: July 30, 2026

Respectfully submitted,

/s/ Gene C. Schaerr

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**[PROPOSED] ORDER GRANTING JOINT MOTION OF PROPOSED INTERVENORS
NATIONAL ASSOCIATION OF COMMUNITY HEALTH CENTERS, INC. AND
RYAN WHITE CLINICS FOR 340B ACCESS FOR EXTENSION OF TIME
TO FILE REPLY IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

Having considered National Association of Community Health Centers, Inc.'s ("NACHC") and Ryan White Clinics for 340B Access's ("RWC-340B")'s (collectively "Proposed Intervenor") Joint Motion for Extension of Time to File Reply in Support of Defendants' Motion to Dismiss, and finding that good cause exists to grant Proposed Intervenor's motion, it is hereby ORDERED that:

Proposed Intervenor's motion is GRANTED and their deadline by which to file a reply in support of Defendants' Motion to Dismiss, currently due on August 4, 2026, is hereby extended up to and including September 3, 2026.

SO ORDERED.

ENTERED this ____ day of _____, 2026

HON. RANDOLPH D. MOSS
United States District Judge