

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DOCKETING STATEMENT

Case Number: 26-2111

Short Case Caption: Amgen Inc. v. Mizner

Filing Party/Entity: Amgen Inc., Immunex Corp., Amgen Manufacturing Ltd. LLC

Instructions: Complete each section or check the box if a section is intentionally blank or not applicable. Attach additional pages as needed. Refer to the court's Mediation Guidelines for filing requirements. An amended docketing statement is required for each new appeal or cross-appeal consolidated after first filing.

Case Origin	Originating Number	Type of Case
US Dist Ct. - Colorado	1:25-cv-03452	Civil

Relief sought on appeal: ☒ None/Not Applicable

Relief awarded below (if damages, specify): ☐ None/Not Applicable

Preliminary injunction against enforcement by Defendants of the upper payment limit established under Colo. Rev. Stat. §§ 10-16-1401 to 10-16-1416 against Amgen's drug, Enbrel.

Briefly describe the judgment/order appealed from:

The district court's order preliminarily enjoined Defendants from enforcing the upper payment limit established under Colo. Rev. Stat. §§ 10-16-1401 to 10-16-1416 against Amgen's drug, Enbrel. The court concluded that enforcement would likely be preempted by the federal patent laws and that the remaining factors warranted relief.

Nature of judgment (select one):

Date of judgment: 7/1/26

☐ Final Judgment, 28 USC § 1295

☐ Rule 54(b)

☒ Interlocutory Order (specify type) Preliminary injunction

☐ Other (explain) _____

Name and docket number of any related cases pending before this court, and the name of the writing judge if an opinion was issued. ☒ None/Not Applicable

Issues to be raised on appeal: ☐ None/Not Applicable

Whether the district court's order granting a preliminary injunction should be reversed.

Have there been discussions with other parties relating to settlement of this case?

☐ Yes ☒ No

If "yes," when were the last such discussions?

- ☐ Before the case was filed below
- ☐ During the pendency of the case below
- ☐ Following the judgment/order appealed from

If "yes," were the settlement discussions mediated? ☐ Yes ☐ No

If they were mediated, by whom?

N/A

Do you believe that this case may be amenable to mediation? ☐ Yes ☒ No

Explain.

In this action, Plaintiffs challenge the constitutionality of Colorado's price-control scheme for patented prescription drugs. Plaintiffs do not believe these challenges are amenable to mediation.

Provide any other information relevant to the inclusion of this case in the court's mediation program.

N/A

Date: 8/17/26

Signature: /s/Paul Alessio Mezzina

Name: Paul Alessio Mezzina