No. 26-2165

IN THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

ASTRAZENECA PHARMACEUTICALS LP; ASTRAZENECA AB; ASTRAZENECA UK LTD,

Plaintiffs-Appellants,

v.

ROBERT F. KENNEDY, JR., in his official capacity as Secretary of the U.S. Department of Health and Human Services; UNITED STATES DEPARTMENT OF HEALTH & HUMAN SERVICES; MEHMET C. OZ, in his official capacity as Administrator of the Centers for Medicare and Medicaid Services; CENTERS FOR MEDICARE AND MEDICAID SERVICES,

Defendants-Appellees.

On Appeal from the United States District Court for
the District of Maryland
The Honorable Matthew J. Maddox, Jr. (No. 1:25-cv-4212)

APPELLANTS' UNOPPOSED MOTION TO EXPEDITE

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CORPORATE DISCLOSURE STATEMENT

Pursuant to Fed. R. App. P. 26.1, Plaintiffs-Appellants, by and through undersigned counsel, hereby submits the following disclosure statement.

1. AstraZeneca Pharmaceuticals LP—a limited partnership organized under the laws of the State of Delaware with its principal place of business in Wilmington, Delaware—is a biopharmaceutical company focusing on the discovery, development, manufacturing and commercialization of medicines. AstraZeneca Pharmaceuticals LP declares that it is an indirectly wholly owned subsidiary of AstraZeneca plc, which is a public company organized under the laws of England and Wales and is publicly traded. Upon information and belief, no other publicly held company owns 10% or more of the voting interest in AstraZeneca Pharmaceuticals LP.

2. AstraZeneca AB—a private company operating and existing under the laws of Sweden, with its principal place of business at S-151 85 Södertälje, Sweden—is the corporate parent of AstraZeneca Pharmaceuticals LP. AstraZeneca AB declares that it is an indirectly wholly owned subsidiary of AstraZeneca plc, which is a public company organized under the laws of England and Wales and is publicly traded. Upon information and belief, no other publicly held company owns 10% or more of the voting interest in AstraZeneca AB.

3. AstraZeneca UK Ltd.—a private company operating and existing under the laws of the United Kingdom, with its principal place of business at 1 Francis Crick Avenue, Cambridge Biomedical Campus, Cambridge CB2 0AA, United Kingdom—is an indirect shareholder of AstraZeneca Pharmaceuticals LP. AstraZeneca UK Ltd. declares that it is an indirectly wholly owned subsidiary of AstraZeneca plc, which is a public company organized under the laws of England and Wales and is publicly traded. Upon information and belief, no other publicly held company owns 10% or more of the voting interest in AstraZeneca UK Ltd.

Dated: September 2, 2026

<u>/s/ Allon Kedem</u>

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UNOPPOSED MOTION TO EXPEDITE

Plaintiffs-Appellants AstraZeneca Pharmaceuticals LP, AstraZeneca AB, and AstraZeneca UK Ltd. (collectively, "Appellants") respectfully ask the Court to enter an expedited schedule, as set forth below, under which this case would be set for argument during the Court's January 2027 sitting. Appellants have consulted with Defendants-Appellees Robert F. Kennedy, Jr., the U.S. Department of Health & Human Services, Mehmet C. Oz, and the Centers for Medicare and Medicaid Services (collectively, "the Government"), and the Government does not oppose this request.

In 2022, Congress enacted the Inflation Reduction Act (IRA), which balances Congress's twin objectives of lowering the price of certain prescription drugs while preserving market-based pricing and exclusivity as incentives for drug development. The statute directs the Secretary of Health and Human Services to establish a "Drug Price Negotiation Program," which allows the Centers for Medicare and Medicaid Services (CMS) to establish prices for a limited set of drugs. 42 U.S.C. § 1320f(a).

In October 2024, CMS issued "guidance" implementing the IRA for what the statute refers to as "initial price year 2027." *See* Ctrs. for Medicare & Medicaid Servs., *Medicare Drug Price Negotiation Program: Final*

Guidance (Oct. 2, 2024) (Guidance). Under the IRA, prices set pursuant to the Guidance are scheduled to take effect on January 1, 2027.

On December 19, 2025, Appellants filed suit against the Government to challenge the Guidance. In light of the impending statutory deadline, Appellants and the Government agreed to dispense with the answer and administrative record and agreed to an expedited briefing schedule for summary judgment. The district court heard argument promptly after briefing was completed and issued a ruling from the bench immediately after argument.

Appellants now ask this Court, in light of the upcoming deadline of January 1, 2027, to expedite this appeal such that the Court hears argument during its January 2027 sitting. Appellants have discussed this request with the Government, which does not oppose it. The Government has asked Appellants to consent to a nine-day extension of the deadline for its response brief, to which Appellants have consented.

Appellants respectfully suggest that expediting this case for argument during the January 2027 sitting will enable the Court to rule on the case in a manner that is timely given the impending statutory deadline. Granting the requested schedule will not prejudice the Government, which does not oppose it. Nor will granting the request inconvenience the Court, which would not need to adjust the briefing schedule, except insofar as the Court agrees to extend the Government's briefing deadline by nine days, to which Appellants consent.

Plaintiffs accordingly respectfully request that the Court enter the following schedule:

- Appellants' opening brief: October 5, 2026 (as currently scheduled);
- Appellees' brief: November 13, 2026 (9-day extension);
- Appellants' reply brief: December 4, 2026 (corresponding 9-day extension);
- Oral argument: January 26-29, 2027 (currently unscheduled).

Dated: September 2, 2026

Respectfully submitted,

<u>/s/ Allon Kedem</u>

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CERTIFICATE OF COMPLIANCE

1. This motion complies with the type-volume limitation of Federal Rule of Appellate Procedure 27(d)(2)(A) because it contains 469 words.

2. This motion complies with the typeface and type-style requirements of Federal Rules of Appellate Procedure 32(a)(5) because it has been prepared in a proportionally spaced typeface using Microsoft Word for Office 365 and is set in 14-point Century Expanded BT font.

Dated: September 2, 2026

<u>/s/ Allon Kedem</u>

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CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2026, I electronically filed the foregoing document with the United States Court of Appeals for the Fourth Circuit by using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

<u>/s/ Allon Kedem</u>
Allon Kedem

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