

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MERCK & CO., INC.,

Plaintiff,

v.

XAVIER BECERRA, U.S. Secretary of
Health and Human Services, *et al.*,

Defendants.

Civil Action No. 1:23-cv-01615-CKK

**DEFENDANTS' OPPOSITION TO PLAINTIFF'S
MOTION FOR SUMMARY JUDGMENT AND CROSS-MOTION**

Defendants oppose Plaintiff's motion for summary judgment and cross-move for summary judgment on all claims pursuant to Rule 56 of the Federal Rules of Civil Procedure. In support, Defendants rely on the attached statement of undisputed material facts and memorandum of law.

Dated: September 11, 2023

Respectfully submitted,

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/s/ Alexander V. Sverdlov
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