

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ASTRAZENECA PHARMACEUTICALS
LP and ASTRAZENECA AB,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as SECRETARY OF HEALTH AND
HUMAN SERVICES,

and

CHIQUITA BROOKS-LASURE, in her
official capacity as ADMINISTRATOR OF
THE CENTERS FOR MEDICARE &
MEDICAID SERVICES,

Defendants.

Civ. No. 23-931-CFC

ORDER

Although Defendants do not challenge Plaintiffs' standing to pursue Count III, "federal courts have an obligation to assure [them]selves of litigants' standing under Article III." *Wayne Land & Min. Grp., LLC v. Delaware River Basin Comm'n*, 959 F.3d 569, 574 (3d Cir. 2020) (citation and internal quotation marks omitted). Accordingly, it is HEREBY ORDERED that no later than February 12, 2024, each side shall file supplemental briefing, not to exceed 2,000 words,

addressing whether Plaintiffs have standing to assert Count III.

Handwritten signature in blue ink, appearing to read "C. F. Cully".

CHIEF JUDGE