No. 20-2402

IN THE UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

UFCW LOCAL 1500 WELFARE FUND, et al,

Plaintiffs—Appellants,

 \mathbf{v} .

ABBVIE INC., et al,

Defendants—Appellees

Appeal from the Northern District of Illinois (Eastern Division)

Case No. 19-cv-01873

The Honorable Manish S. Shah

BRIEF OF AMICI CURIAE CONSUMER ACTION AND U.S. PUBLIC INTEREST RESEARCH GROUP IN SUPPORT OF PLAINTIFFS-APPELLANTS

James B. Zouras StephanZouras, LLP 100 N Riverside Plaza Suite 2150 Chicago, IL 60606 David Balto Law Offices of David Balto 8030 Ellingson Drive Chevy Chase, MD 20815 Andre Barlow Doyle Barlow & Mazard 1776 K Street, NW, #200 Washington, D.C. 20004

Counsel for Amici Curiae Consumer Action and U.S. Public Interest Research Group

Save As

Pages: 20

Clear Form

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appellat	Court No: <u>20-2402</u>						
Short Ca	on: UFCW Local 1500 Welfare Fund, et al. v. Abbvie Inc., et al.						
To enable the judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party, amicus cur intervenor or a private attorney representing a government party, must furnish a disclosure statement providing the following informatin compliance with Circuit Rule 26.1 and Fed. R. App. P. 26.1.							
within 2 required included	art prefers that the disclosure statements be filed immediately following docketing; but, the disclosure statement must be figure of docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorneys file an amended statement to reflect any material changes in the required information. The text of the statement must also the front of the table of contents of the party's main brief. Counsel is required to complete the entire statement and to a principle of this form is used.	are be					
	PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.						
(1)	e full name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disclosure community of the corporate disclosure comm	ıre					
	onsumer Action, Amicus Curiae						
(2)	e names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district courfore an administrative agency) or are expected to appear for the party in this court: tephan Zouras, LLP	t or					
	aw Offices of David A. Balto, Doyle Barlow & Mazard PLLC						
(3)	If the party, amicus or intervenor is a corporation:						
	Identify all its parent corporations, if any; and						
	N/A						
	list any publicly held company that owns 10% or more of the party's, amicus' or intervenor's stock:						
	N/A						
(4)	ovide information required by FRAP 26.1(b) – Organizational Victims in Criminal Cases:						
	/A						
(5)	Provide Debtor information required by FRAP 26.1 (c) 1 & 2:						
	/A						
Attorney'	ignature: s/ James B. Zouras Date:						
Attorney'	rinted Name: James B. Zouras						
Please inc	ate if you are <i>Counsel of Record</i> for the above listed parties pursuant to Circuit Rule 3(d). Yes No						
Address:	00 N. Riverside Plaza, Suite 2150						
	hicago, IL 60606						
Phone Nu	Per: 312-233-1550 Fax Number: 312-233-1560						



Save As

Clear Form

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appella	te Court	t No: <u>20-2402</u>	
Short Ca	aption: <u>L</u>	UFCW Local 1500 Welfare Fund, et al. v. Abbvie Inc., et al.	
interven in comp	or or a p liance w	e judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party, amicus curia private attorney representing a government party, must furnish a disclosure statement providing the following informativith Circuit Rule 26.1 and Fed. R. App. P. 26.1.	on
within 2 required included	1 days of to file a lin the fi	refers that the disclosure statements be filed immediately following docketing; but, the disclosure statement must be filed for docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorneys a an amended statement to reflect any material changes in the required information. The text of the statement must also front of the table of contents of the party's main brief. Counsel is required to complete the entire statement and to uformation that is not applicable if this form is used.	are be
		PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.	
(1)	informa	I name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disclosuration required by Fed. R. App. P. 26.1 by completing item #3): Public Interest Research Group, Amicus Curiae	e
	Consu	ımer Action, Amicus Curiae	
(2)	before a	mes of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district court an administrative agency) or are expected to appear for the party in this court: anZouras, LLP, Law Offices of David Balto, Doyle Barlow & Mazard PLLC	or
(3)	If the pa	arty, amicus or intervenor is a corporation:	
	i)	Identify all its parent corporations, if any; and N/A	
	ii)	list any publicly held company that owns 10% or more of the party's, amicus' or intervenor's stock: N/	
(4)		e information required by FRAP 26.1(b) – Organizational Victims in Criminal Cases:	
(5)	N/A Provide	e Debtor information required by FRAP 26.1 (c) 1 & 2:	
	N/A		
Attorney	's Signatı	ture: /s/ Andre Barlow Date: 10/14/2020	
Attorney	's Printed	d Name: Andre Barlow	
Please in	dicate if	you are <i>Counsel of Record</i> for the above listed parties pursuant to Circuit Rule 3(d). Yes No	
Address:	1776 K	K Street, Suite 200, NW, Washington, DC 20004	
Phone N	umber: 2	202-589-1838 Fax Number:	



Save As

Pages: 20

Clear Form

APPEARANCE & CIRCUIT RULE 26.1 DISCLOSURE STATEMENT

Appellate	e Court No: 20-2402	
Short Cap	ption: UFCW Local 1500 Welfare Fund, et al. v. Abbvie Inc., et al.	
interveno	able the judges to determine whether recusal is necessary or appropriate, an attorney for a non-governmental party, amicus or or a private attorney representing a government party, must furnish a disclosure statement providing the following informance with Circuit Rule 26.1 and Fed. R. App. P. 26.1.	
within 21 required t included i	fourt prefers that the disclosure statements be filed immediately following docketing; but, the disclosure statement must be days of docketing or upon the filing of a motion, response, petition, or answer in this court, whichever occurs first. Attorned to file an amended statement to reflect any material changes in the required information. The text of the statement must a in the front of the table of contents of the party's main brief. Counsel is required to complete the entire statement and any information that is not applicable if this form is used.	eys are also be
[PLEASE CHECK HERE IF ANY INFORMATION ON THIS FORM IS NEW OR REVISED AND INDICATE WHICH INFORMATION IS NEW OR REVISED.	
i	The full name of every party that the attorney represents in the case (if the party is a corporation, you must provide the corporate disc information required by Fed. R. App. P. 26.1 by completing item #3): U.S. Public Interest Research Group, Amicus Curiae	losure
_	Consumer Action, Amicus Curiae	
ŀ	The names of all law firms whose partners or associates have appeared for the party in the case (including proceedings in the district of before an administrative agency) or are expected to appear for the party in this court: StephanZouras, LLP, Law Offices of David A. Balto, Doyle Barlow & Mazard PLLC	court or
(3) I	If the party, amicus or intervenor is a corporation:	
i	i) Identify all its parent corporations, if any; and	
	N/A	
i	ii) list any publicly held company that owns 10% or more of the party's, amicus' or intervenor's stock:	
	N/A	
(4) I	Provide information required by FRAP 26.1(b) – Organizational Victims in Criminal Cases:	
-	N/A	
(5) I	Provide Debtor information required by FRAP 26.1 (c) 1 & 2:	
_	N/A	
Attorney's	s Signature: /s/ David A. Balto Date: 10/14/2020	
Attorney's	s Printed Name: David A. Balto	
Please indi	icate if you are <i>Counsel of Record</i> for the above listed parties pursuant to Circuit Rule 3(d). Yes No	
Address:	8030 Ellingson, Drive, Chevy Chase, MD 20815	
Phone Nur	mber: 202-577-5424 Fax Number:	



TABLE OF CONTENTS

PAGE NO.

TABLE OF	
CONTENTS	ii
TABLE OF	
AUTHORITIES	iii
INTEREST OF AMICI CURIAE	1
INTRODUCTION AND SUMMARY OF ARGUMENTS	3
ARGUMENT	4
I. The District Court's Decision Will Harm Competition and Lead to Higher Prescription Drug Prices	
CONCLUSION	10



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

