

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

ABBVIE INC., *et al.*,

Plaintiffs,

v.

KRIS KOBACH, in his official capacity
as the ATTORNEY GENERAL OF THE
STATE OF KANSAS,

Defendant.

**Case No. 6:24-cv-01111-KHV-
GEB (Lead Case)**

ASTRAZENECA PHARMACEUTICALS LP,

Plaintiff,

v.

KRIS KOBACH, in his official capacity
as the ATTORNEY GENERAL OF THE
STATE OF KANSAS,

Defendant.

**Case No. 6:24-CV-01112-KHV-
GEB
Consolidated with 24-CV-
01111-KHV-GEB**

PHARMACEUTICAL RESEARCH &
MANUFACTURERS OF AMERICA,

Plaintiff,

v.

KRIS KOBACH, in his official capacity
as the ATTORNEY GENERAL OF THE
STATE OF KANSAS,

Defendant.

**Case No. 6:24-CV-01132-KHV-
GEB
Consolidated with 24-CV-
01111-KHV-GEB**

NOVARTIS PHARMACEUTICALS
CORPORATION,

Plaintiff,

v.

KRIS KOBACH, in his official capacity

**Case No. 6:24-CV-04068-KHV-
GEB
Consolidated with 24-CV-
01111-KHV-GEB**

as the ATTORNEY GENERAL OF THE
STATE OF KANSAS,

Defendant.

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Plaintiffs AbbVie Inc., Allergan, Inc., Durata Therapeutics, Inc., AbbVie Products LLC, Aptalis Pharma US, Inc., Pharmacyclics LLC, and Allergan Sales, LLC (collectively “AbbVie”), Novartis Pharmaceuticals Corporation, Pharmaceutical Research & Manufacturers of America, AstraZeneca Pharmaceuticals, LP (collectively “Plaintiffs”) and Defendant, Kris Kobach, in his official capacity as the Attorney General of the state of Kansas (together with Plaintiffs, the “Parties”), by and through their attorneys, hereby request that this Court enter the Order of Dismissal Without Prejudice.

WHEREAS the Parties agree that Plaintiffs’ policies as alleged in their respective Complaints do not state a violation of either S.B. 28 or the Kansas Consumer Protection Act, K.S.A. § 52-623, there is no controversy between the Parties for this Court to resolve at this time.

The Parties agree that all claims asserted in Plaintiffs’ Complaints and all claims and defenses in Defendants’ Answer to Plaintiffs’ Complaints and Motion for Judgment on the Pleadings or, in the alternative, for Summary Judgment (ECF Nos. 24, 25) shall be dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each party to bear its own costs, expenses, and attorneys’ fees, and request that the Court enter an order to the same effect.

Dated: December 12, 2024

Ashley C. Parrish (*pro hac vice* forthcoming)
John D. Shakow (*pro hac vice* forthcoming)
KING & SPALDING LLP
1700 Pennsylvania Avenue N.W.
Suite 900
Washington, D.C. 20006
Telephone: (202) 626-2627
Email: aparrish@kslaw.com

Nicole Bronnimann (*pro hac vice* forthcoming)
KING & SPALDING LLP
1100 Louisiana, Suite 4100
Houston, TX 77002
Telephone: (713) 276-7402
Email: nbrownimann@kslaw.com

Respectfully submitted,

/s/ Lynn D. Preheim

Lynn D. Preheim, #13300
Nanette Turner Kalcik, #24030
STINSON LLP
1625 N. Waterfront Parkway, Suite 300
Wichita, KS 67026
Telephone: (316) 265-8800
Fax: (316) 265-1349
Email: lynn.preheim@stinson.com
Nanette.kalcik@stinson.com

Matthew S. Owen, P.C. (admitted *pro hac vice*)
Meredith M. Pohl (admitted *pro hac vice*)
Michael Pronin (admitted *pro hac vice*)
KIRKLAND & ELLIS LLP
1301 Pennsylvania Avenue N.W.
Washington, D.C. 20004
Telephone: (202) 389-5000
Email: matt.owen@kirkland.com
meredith.pohl@kirkland.com
michael.pronin@kirkland.com

Counsel for AbbVie Plaintiffs

Allon Kedem (admitted *pro hac vice*)
Jeffrey L. Handwerker (admitted *pro hac vice*)
Stephen K. Wirth (admitted *pro hac vice*)
Samuel I. Ferenc (admitted *pro hac vice*)
ARNOLD & PORTER KAYE SCHOLER
LLP
601 Massachusetts Ave., NW
Washington, DC 20001
T: (202) 942-5000 / F: (202) 942-5999
Email: allon.kedem@arnoldporter.com
jeffrey.handwerker@arnoldporter.com
stephen.wirth@arnoldporter.com
sam.ferenc@arnoldporter.com

/s/ Michael G. Jones

Michael G. Jones, #14511
Samantha M. H. Woods, #25929
Matthew A. Spahn, #25932
MARTIN, PRINGLE, OLIVER, WALLACE &
BAUER, L.L.P.
645 E. Douglas, Suite 100
Wichita, KS 67202
Telephone: (316) 265-9311
Fax: (316) 265-2955
Email: mgjones@martinpringle.com
smwoods@martinpringle.com
maspahn@martinpringle.com

Counsel for Plaintiff AstraZeneca Pharmaceuticals LP

Catherine E. Stetson (admitted *pro hac vice*)
Susan M. Cook (admitted *pro hac vice*)
Marlan Golden (admitted *pro hac vice*)
HOGAN LOVELLS US LLP
555 Thirteenth Street, NW
Washington, DC 20004
Telephone: (202) 637-5600
Email: cate.stetson@hoganlovells.com
susan.cook@hoganlovells.com
marlan.golden@hoganlovells.com

/s/ Michael J. Kuckelman
Michael J. Kuckelman, #14587
Michael T. Crabb, #24395
Jacob M. Kuckelman, #29799
KUCKELMAN TORLINE KIRKLAND, INC.
10740 Nall, Suite 250
Overland Park, KS 66211
T: (913) 948-8610 / F: (913) 948-8611
Email: mkuckelman@ktk-law.com
mcrabb@ktk-law.com
jkuckelman@ktk-law.com

Counsel for Plaintiff Novartis Pharmaceuticals Corporation

Abid R. Qureshi (admitted *pro hac vice*)
Andrew D. Prins (admitted *pro hac vice*)
LATHAM & WATKINS LLP
555 Eleventh Street, NW, Suite 1000
Washington, DC 20004
Telephone: (202) 637-2200
Fax: (202) 637-2201
Email: abid.qureshi@lw.com
andrew.prins@lw.com

/s/ Tyler E. Heffron
Tyler E. Heffron, #22115
Shane A. Rosson, #24408
TRIPLETT WOOLF GARRESTON, LLC
2959 N. Rock Road, Suite 300
Wichita, Kansas 67226
T: (316) 630-8100 / F: (316) 630-8101
Email: theffron@twgfirm.com
sarosson@twgfirm.com

Counsel for Plaintiff Pharmaceutical Research & Manufacturers of America

/s/ David R. Cooper
David R. Cooper, #16690
Charles E. Branson, #17376
Timothy A. O'Keefe, #18525
Katherine E. Sittenauer, #29903
FISHER, PATTERSON, SAYLER & SMITH, LLP
3550 SW Fifth Street
Topeka, KS 66606
T: (785) 232-7761 / F: (785) 232-6604
Email: dcooper@fpsslaw.com
cbranson@fpsslaw.com
tokeefe@fpsslaw.com
ksittenauer@fpsslaw.com

Counsel for Defendant Kris Kobach

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of December 2024, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to those parties that have registered.

By: /s/ Michael J. Kuckelman
Attorney