

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

PFIZER INC.

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HEALTH AND HUMAN SERVICES, and
XAVIER BECERRA, in his official capacity
as Secretary of Health and Human Services, and
UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES OFFICE OF
INSPECTOR GENERAL, and
CHRISTI A. GRIMM, in her official capacity as
Acting Inspector General in the Office of Inspector
General for the U.S. Department of Health and
Human Services,

Defendants.

Case No. 1:20-cv-4920-MKV

Notice of Appeal

Notice is hereby given pursuant to Rules 3 and 4 of the *Federal Rules of Appellate Procedure* that Plaintiff Pfizer Inc. respectfully appeals to the United States Court of Appeals for the Second Circuit from the Judgment in favor of Defendants entered September 30, 2021 (Docket Entry 86), which was entered as a result of the Court's Opinion and Order Granting Defendants' Motion to Dismiss and for Summary Judgment and Denying Plaintiff's Motion for Summary Judgment, dated September 30, 2021 (Docket Entry 85), and from all underlying or associated orders.

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Dated: October 29, 2021

Respectfully submitted,

/s/ Joan McPhee

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