

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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NATIONAL ASSOCIATION OF CHAIN  
DRUG STORES *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF HEALTH &  
HUMAN SERVICES, *et al.*,

Defendants.

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Civil Action No. 07-02017 (RCL)

**ORDER**

Upon consideration of the parties' Joint Motion to Clarify that, Notwithstanding the Preliminary Injunction, HHS May Provide Analyses of AMP Data to Committees of Congress, it is hereby

ORDERED that the parties' joint motion is GRANTED; and it is further

ORDERED that, notwithstanding any provision of the preliminary injunction, both OIG and CMS may provide analyses of "average manufacturer price" ("AMP") data upon the request of Committees of Congress as they consider health care reform legislation; and it is further

ORDERED that neither OIG nor CMS shall disclose to Committees of Congress the individual AMPs for specific single-source or multiple-source drugs until the parties have specifically litigated that issue and the Court has amended the injunction to allow such disclosure, or until the parties have otherwise agreed to such disclosure.

Signed by Royce C. Lamberth, United States District Judge, June 23, 2009.