

FEDERAL TRADE COMMISSION
 WASHINGTON, D.C. 20580

NOTICE OF APPEARANCE



CASE NAME In the Matter of Caremark Rx, LLC, et al.	FILE/DOCKET NUMBER D09437
--	------------------------------

Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE	2. RESPONDENT(S) OR THIRD PARTY(IES)
-------------------------------------	---

Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding,

Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.

J. Timothy McDonald
 Thompson Hine LLP
 Two Alliance Center
 3560 Lenox Road, Suite 1600
 Atlanta, GA 30326
 Tel.: 404-407-3623
 Email: Tim.McDonald@ThompsonHine.com

Brittain Shaw
 Thompson Hine LLP
 1919 M Street, N.W.
 Suite 700
 Washington, DC 20036
 Tel.: 202-263-4154
 Email: Brittain.Shaw@ThompsonHine.com

Mark R. Butscha, Jr.
 Thompson Hine LLP
 127 Public Square, Suite 3900
 Cleveland, OH 44114
 Tel.: 216-566-5897
 Email: Mark.Butscha@ThompsonHine.com

Mercer (US) LLC
 1166 6th Avenue
 New York, NY 10036
 212-345-7000

3. ASSOCIATE/ASSISTANT DIRECTOR

4. SIGNATURE OF SENIOR COUNSEL /s/ J. Timothy McDonald	5. DATE SIGNED 12/23/24
---	----------------------------

Return this form to: Federal Trade Commission
 Room H-113
 600 Pennsylvania Avenue, N.W.
 Washington, D.C. 20580

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

Caremark Rx, LLC,

Zinc Health Services, LLC,

Express Scripts, Inc.,

Evernorth Health, Inc.,

Medco Health Services, Inc.,

Ascent Health Services LLC,

OptumRx, Inc.,

OptumRx Holdings, LLC,

and

Emisar Pharma Services LLC,

Respondents.

Docket No. 9437

STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1

In connection with the Notice of Appearance filed on December 23, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bars of the State of Georgia (Registration No. 489420), State of New Jersey (Registration No. 027201990), Pennsylvania (Registration No. 60436), and District of Columbia (admitted 12/1/92). As required by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

/s/ J. Timothy McDonald

J. Timothy McDonald

Two Alliance Center

3560 Lenox Road, Suite 1600

Atlanta, GA 30326

Tel.: 404-407-3623

Tim.McDonald@ThompsonHine.com

Counsel for Non-party Mercer (US) LLC

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

Caremark Rx, LLC,

Zinc Health Services, LLC,

Express Scripts, Inc.,

Evernorth Health, Inc.,

Medco Health Services, Inc.,

Ascent Health Services LLC,

OptumRx, Inc.,

OptumRx Holdings, LLC,

and

Emisar Pharma Services LLC,

Respondents.

Docket No. 9437

STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1

In connection with the Notice of Appearance filed on December 23, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bars of the State of New York (Registration No. 6186126), Commonwealth of Virginia (Registration No. 44943), and District of Columbia (admitted 6/4/01). As required by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

/s/ Brittain Shaw
Brittain Shaw
1919 M Street, N.W.
Suite 700

Washington, DC 20036

Tel.: 202-263-4154

Brittain.Shaw@ThompsonHine.com

Counsel for Non-party Mercer (US) LLC

**UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

Caremark Rx, LLC,

Zinc Health Services, LLC,

Express Scripts, Inc.,

Evernorth Health, Inc.,

Medco Health Services, Inc.,

Ascent Health Services LLC,

OptumRx, Inc.,

OptumRx Holdings, LLC,

and

Emisar Pharma Services LLC,

Respondents.

Docket No. 9437

STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1

In connection with the Notice of Appearance filed on December 23, 2024, and pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Bars of the State of New York (Registration No. 4897005) and State of Ohio (Registration No. 0088854). As required by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

/s/ Mark R. Butscha, Jr.
Mark R. Butscha, Jr.
THOMPSON HINE LLP
3900 Key Center

127 Public Square
Cleveland, Ohio 44114
Phone: 216.566.5500
Fax: 216.566.5800
Mark.Butscha@ThompsonHine.com

Counsel for Non-party Mercer (US) LLC

CERTIFICATE OF SERVICE AND ELECTRONIC FILING

I hereby certify that on December 23, 2024, pursuant to Federal Trade Commission Rules of Practice 4.2(c) and 4.4(b), I caused the foregoing document to be filed electronically with the Federal Trade Commission using the FTC's E-Filing system, and a notification of such filing with a courtesy copy of the foregoing documents was sent by email to:

April Tabor
Office of the Secretary Federal Trade
Commission
600 Pennsylvania Avenue, NW
Suite CC-5610
Washington, DC 20580
ElectronicFilings@ftc.gov

The Honorable D. Michael Chappell
Administrative Law Judge
600 Pennsylvania Ave., NW, Rm. H-110
Washington, DC 20580
oalj@ftc.gov

I further certify that on December 23, 2024, I caused the foregoing document to be served via email to the following:

Rebecca Egeland
Nicholas Leefer
Armine Black
Amanda Triplett
Kelly McCluer
Alpa G. Davis
Lauren Peay
Andrew Kennedy
Cindy Hong
Bradley S. Albert
Evan J. Cartagena
Brian Morganelli
Christine Tasso
Maribeth Petrizzi
Jennifer Lee
Jamie Towey
Jacqueline Mendel
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580
regeland@ftc.gov
nleefer@ftc.gov

ablack1@ftc.gov
atriplett@ftc.gov
kmcluer@ftc.gov
adavis@ftc.gov
lpeay@ftc.gov
akennedy@ftc.gov
chong@ftc.gov
balbert@ftc.gov
ecartagena@ftc.gov
bmorganelli@ftc.gov
ctasso@ftc.gov
mpetrizzi@ftc.gov
jlee@ftc.gov
jtowey@ftc.gov
jmendel@ftc.gov

Complaint Counsel

Charles F. (“Rick”) Rule
Justin T. Heipp
Daniel J. Howley
Margot Campbell
Derek W. Moore
Rule Garza Howley LLP
901 7th St NW, Suite 600
Washington, DC 20001
Tel.: (202) 846-8092
rule@rulegarza.com
heipp@rulegarza.com
howley@rulegarza.com
campbell@rulegarza.com
moore@rulegarza.com

Jennifer Milici
John W. O’ Toole
Perry Lange
Wilmer Cutler Pickering Hale and Dorr LLP
2100 Pennsylvania Avenue NW
Washington, DC 20037
Tel: (202) 663
-6000
Jennifer.Milici@wilmerhale.com
john.o’toole@wilmerhale.com
perry.lange@wilmerhale.com

Counsel for Respondents Express Scripts, Inc.; Evernorth Health, Inc.; Medco Health

Services, Inc.; and Ascent Health Services L.L.C.

Michael Cowie
Rani Habash
Gregory Luib
Elena Kamenir
Nathan Richardson
Kaitlyn Marasi
Dechert LLP
1900 K Street NW
Washington, DC 20006
Tel: 202-261-3339
mike.cowie@dechert.com
rani.habash@dechert.com
gregory.luib@dechert.com
elena.kamenir@dechert.com
nathan.richardson@dechert.com
kaitlyn.marasi@dechert.com

Tony Leyh
Dechert LLP
Cira Centre 2929
Arch Street
Philadelphia, PA 19104
Tel: 215-994-4000
tony.leyh@dechert.com

Enu Mainigi
Craig Singer
Steven Pyser
Jonathan B. Pitt
Williams & Connolly LLP
680 Maine Ave. SW
Washington, D.C. 20024
Tel.: 202-434-5000
emainigi@wc.com
csinger@wc.com
spyser@wc.com
jpitt@wc.com

Counsel for Respondents Caremark Rx, LLC and Zinc Health Services, LLC

Michael J. Perry
Sophia A. Hansell
Matthew S. Rozen
Gibson Dunn & Crutcher LLP

1700 M. St. NW
Washington, DC 20036
Tel: (202) 955-8500
MJPerry@gibsondunn.com
SHansell@gibsondunn.com
MRozen@gibsondunn.com

Matthew C. Parrott
Gibson Dunn & Crutcher LLP
3161 Michelson Drive, Suite 120
Irvine, CA 92612
Tel: (949) 451-3823
MParrott@gibsondunn.com

Thomas Tyson
Gibson Dunn & Crutcher LLP
One Embarcadero Center Suite 2600
San Francisco, California 94111
Tel: (415) 497-0667
TTyson@gibsondunn.com

Samuel Liversidge
Gibson Dunn & Crutcher LLP
333 South Grand Avenue
Los Angeles, CA 90071
Tel: (213) 229-7420
SLiversidge@gibsondunn.com

Ben A. Sherwood
Gibson Dunn & Crutcher LLP
200 Park Avenue
New York, New York 10166
Tel: (212) 351-2671
BSherwood@gibsondunn.com

Attorneys for Respondents OptumRx, Inc.; OptumRx Holdings, LLC; and Emisar Pharma Services LLC

Dated: December 23, 2024

Respectfully submitted,

THOMPSON HINE LLP

/s/ Mark R. Butscha, Jr.
J. Timothy McDonald
Two Alliance Center

3560 Lenox Road, Suite 1600
Atlanta, GA 30326
Tel.: 404-407-3623
Tim.McDonald@ThompsonHine.com

Brittain Shaw
1919 M Street, N.W.
Suite 700
Washington, DC 20036
Tel.: 202-263-4154
Brittain.Shaw@ThompsonHine.com

Mark R. Butscha, Jr.
3900 Key Center
127 Public Square
Cleveland, Ohio 44114
Tel.: 216.566.5500
Mark.Butscha@ThompsonHine.com

Counsel for Mercer (US) LLC