

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

NATIONAL ASSOCIATION OF CHAIN DRUG STORES;
NATIONAL COMMUNITY PHARMACISTS
ASSOCIATION; KLINGENSMITH DRUG INC., KOPP
DRUG, INC.; LECH'S PHARMACY, PJI PHARMACY, INC.;
MJR, LTD.; MJRRX, INC.; DAVID M. SMITH RPH, INC.;
PROFESSIONAL SPECIALIZED PHARMACIES, LLC;
ANBAR, INC.; SELLERSVILLE PHARMACY, INC.; TEP,
INC.; THOMPSON ENTERPRISES INC.; BROAD AVE
PHARMACY LLC; HOLLIDAYSBURG PHARMACY LLC;
VALUE DRUG COMPANY; and VALUE SPECIALTY
PHARMACY LLC,

Plaintiffs,

-against-

EXPRESS SCRIPTS, INC. and MEDCO HEALTH
SOLUTIONS, INC.,

Defendants.

Civil Action No. 12-395

**DEFENDANTS EXPRESS SCRIPTS, INC.'S AND MEDCO HEALTH SOLUTIONS,
MOTION TO DISMISS PLAINTIFFS' COMPLAINT**

Defendants Express Scripts, Inc. and Medco Health Solutions, Inc., by their undersigned counsel, move to dismiss Plaintiffs' Complaint pursuant to Rule 12 of the Federal Rules of Civil Procedure. Defendants incorporate herein by reference their memorandum of law in support of the instant motion and related exhibits to their request for judicial notice . Defendants respectfully request this Honorable Court to enter the attached, proposed order dismissing Plaintiffs' Complaint with prejudice.

DEL SOLE CAVANAUGH STROYD LLC

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