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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

**SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-2735-20**

**THE STATE OF NEW JERSEY
EX REL. HEALTH CHOICE
ADVISORY, LLC,**

Plaintiff-Appellant,

v.

**SHIRE PLC, BAXTER
INTERNATIONAL, INC.,
BAXALTA INCORPORATED,
and VIROPHARMA, INC.,**

Defendants-Respondents.

Submitted October 30, 2023 – Decided November 8, 2023

Before Judges Gilson, Berdote Byrne, and Bishop-Thompson.

On appeal from the Superior Court of New Jersey, Law Division, Middlesex County, Docket No. L-2423-20.

Florio Perrucci Steinhardt Cappelli Tipton & Taylor, LLC, W. Mark Lanier (Lanier Law Firm) of the Texas bar, admitted pro hac vice, Zeke DeRose (Lanier Law Firm) of the Texas bar, admitted pro hac vice, Eric B. Halper (McKool Smith) of the New York bar, admitted

pro hac vice, and Radu A. Lelutiu (McKool Smith) of the New York bar, admitted pro hac vice, attorneys for appellant Health Choice Advisory, LLC (Brian R. Tipton, Ruby Khallouf, W. Mark Lanier, Zeke DeRose, Eric B. Halper, and Radu A. Lelutiu, of counsel and on the briefs).

Day Pitney LLP, Mark A. Jensen (King & Spalding LLP) of the District of Columbia bar, admitted pro hac vice, Michael J. Ciatta (King & Spalding LLP) of the District of Columbia bar, admitted pro hac vice, and Paul Alessio Mezzina (King & Spalding LLP) of the District of Columbia bar, admitted pro hac vice, attorneys for respondents (Paul R. Marino, Naju R. Lathia, Mark A. Jensen, Michael J. Ciatta, and Paul Alessio Mezzina, on the brief).

PER CURIAM

We have been advised that this matter has been amicably resolved and the parties have stipulated to the dismissal of this appeal. Accordingly, the appeal is dismissed with prejudice as to the claims asserted in this action by plaintiff-appellant Health Choice Advisory, LLC against defendants-respondents Shire PLC, Baxter International, Inc., Baxalta Incorporated, and Viropharma, Inc. and without costs to any party. In accordance with the parties' stipulation of dismissal, the dismissal of this appeal is without prejudice as to any claims the State of New Jersey could have asserted or can assert against defendants-respondents.

Dismissed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.



CLERK OF THE APPELLATE DIVISION