

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF MASSACHUSETTS

IN RE: RANBAXY GENERIC DRUG  
APPLICATION ANTITRUST  
LITIGATION

MDL NO. 2878

Master File No.

THIS DOCUMENT RELATES TO:

19-md-02878-NMG

*All Cases*

**MOTION TO INTERVENE AND UNSEAL JUDICIAL RECORDS**

By and through undersigned counsel, Pro Publica, Inc. (“Pro Publica”) respectfully moves this Court for leave to intervene in the above-captioned matter for the limited purpose of seeking an order to unseal judicial records that are presumptively public pursuant to the First Amendment and the common law.

Specifically, and as described more fully in the accompanying Memorandum of Law, Pro Publica seeks access to sealed docket entries 416, 418, 420, 420-3, 420-4, 420-10, 420-12, 420-17 through 420-25, 424-1 through 424-113, 431, 432, 432-1 through 432-221, 433, 433-1, 435, 435-1, 450, 455, 455-1, 456, 456-1 through 456-11, 457, 457-1 through 457-3, and 458 (the “Sealed Records”).

WHEREFORE, for the reasons stated herein and in the accompanying Memorandum of Law, Pro Publica respectfully requests that the Court enter an order granting Proposed Intervenor leave to intervene and unseal the Sealed Records.

## REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), ProPublica believes oral argument will assist the court and respectfully requests that the motion be set for hearing.

Respectfully submitted,

PRO PUBLICA, INC.

By its attorneys,

Date: February 12, 2026

/s/ Robert A. Bertsche  
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*\*Pro Hac Vice appl. forthcoming*

## CERTIFICATE OF SERVICE

I, Robert A. Bertsche, hereby certify that on February 12, 2026, I served this document upon all registered parties via the ECF Notice of Electronic Filing (NEF) system.

/s/ Robert A. Bertsche  
Robert A. Bertsche (BBO 554333)  
KLARIS LAW, PLLC

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(2)**

Counsel for ProPublica hereby certifies that they conferred with counsel for the parties in a good-faith attempt to resolve this issue and informed them of their intent to file this Motion to Intervene and Unseal Judicial Records. ProPublica notified the parties of their intention to file this motion and provided the parties with a list of the records that are the subject of this motion on January 12, 2026.

Counsel for ProPublica and counsel for the Direct Purchaser Plaintiffs discussed ProPublica's motion on a conference call on January 28, 2026, and further conferred via email both before and after that call. The Direct Purchaser Plaintiffs do not oppose ProPublica's motion to intervene. The Direct Purchaser Plaintiffs oppose ProPublica's motion to unseal in part, and are continuing to assess the records identified by ProPublica in its motion in order to inform the court of any plaintiff-specific information that they believe should remain sealed.

Counsel for the End Payor Plaintiffs provided their position to counsel for ProPublica in an email dated February 4, 2026. The End Payor Plaintiffs do not oppose ProPublica's motion to intervene. The End Payor Plaintiffs oppose ProPublica's motion to unseal in part, and are continuing to assess the records identified by ProPublica in its motion in order to inform the court of any plaintiff-specific information that they believe should remain sealed.

Counsel for ProPublica and counsel for the Defendants discussed ProPublica's motion on a conference call on January 22, 2026 and conferred via email thereafter. Defendants state that they are unable to take a position on each filing at this time,

and that they will review ProPublica's papers after they are filed and then decide whether to oppose and the extent of any opposition.