

U. Gwyn Williams
Direct Dial: +1.617.880.4512
gwyn.williams@lw.com

200 Clarendon Street
Boston, Massachusetts 02116
Tel: +1.617.948.6000 Fax: +1.617.948.6001
www.lw.com

LATHAM & WATKINS LLP

FIRM / AFFILIATE OFFICES

Beijing	Moscow
Boston	Munich
Brussels	New York
Century City	Orange County
Chicago	Paris
Dubai	Riyadh
Düsseldorf	San Diego
Frankfurt	San Francisco
Hamburg	Seoul
Hong Kong	Shanghai
Houston	Silicon Valley
London	Singapore
Los Angeles	Tokyo
Madrid	Washington, D.C.
Milan	

April 1, 2021

VIA CM/ECF

The Honorable Henry T. Wingate
United States District Court
Southern District of Mississippi
501 East Court Street
Suite 6.750
Jackson, MS 39201

Re: **GenBioPro, Inc. v. Dobbs**
Civil Action No. 3:20-cv-00652-HTW-LGI

Dear Judge Wingate,

During the parties' oral argument before the Court on March 25, 2021, the Court expressed interest in learning in which states Plaintiff GenBioPro, Inc. currently sells its product, mifepristone tablets. In accordance with the Court's request that the parties submit any additional information within 15 days of the March 25, 2021 hearing, GenBioPro hereby provides the requested information on its sales nationwide.

GenBioPro sells and ships its mifepristone tablets to providers in 45 states and the District of Columbia. GenBioPro does not currently sell mifepristone in Mississippi, Louisiana, Nebraska, Oklahoma, or Wyoming. Since GenBioPro received FDA-approval in April 2019 to market and sell mifepristone, GenBioPro has captured a significant share of the nationwide market for mifepristone.

While GenBioPro has yet to sell mifepristone in Mississippi, GenBioPro currently has a Prescriber Agreement in place with Planned Parenthood Southeast, Inc. to provide mifepristone to Planned Parenthood Southeast's clinics. Planned Parenthood Southeast has four clinics in Georgia, two clinics in Alabama, and one clinic in Mississippi. Planned Parenthood Southeast has authorized GenBioPro to ship mifepristone to all of Planned Parenthood Southeast's clinics *except* the Mississippi clinic. On information and belief, but for Mississippi's regulations restricting who may prescribe mifepristone and under what conditions, the Mississippi clinic would provide mifepristone in accordance with the FDA's Risk Evaluation and Mitigation Strategy, and would purchase GenBioPro's product to do so.

LATHAM & WATKINS LLP

Respectfully submitted,

s/ U. Gwyn Williams _____

U. Gwyn Williams
of LATHAM & WATKINS LLP

s/ J. Carter Thompson, Jr. _____

J. Carter Thompson, Jr. (MSB No. 8195)
of BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC

Counsel for Plaintiff, GenBioPro, Inc.

cc: Counsel of Record