



## PRESS RELEASE

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### **Statement on Today’s Decision by the U.S. Court of Appeals for the Fourth Circuit**

**BALTIMORE, MD (April 13, 2018)** – Maryland Attorney General Brian E. Frosh today released the following statement:

“We are disappointed with the court’s decision. As Judge Wynn’s dissent explains, the panel majority misunderstood the scope of the statute, which protects Maryland consumers against unconscionable increases in the price of certain essential medicine, and which does not regulate prices charged to consumers in other states. The majority also acknowledges that it is adopting an interpretation of the dormant Commerce Clause more expansive than the interpretation adopted by other appellate courts. As Judge Wynn noted, *‘the majority opinion’s expansive interpretation of the extraterritoriality doctrine substantially intrudes on the States’ reserved powers to legislate to protect the health, safety, and welfare of their citizens.’*”

“We are evaluating all options with regard to next steps. We remain committed to pursuing efforts to eliminate price gouging and to safeguarding Marylanders’ access to prescription drugs.”