

FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

NOTICE OF APPEARANCE

**CASE NAME**

In Re: Caremark Rx, Zinc, Express Scripts, Evernorth, Medco, Ascent, OptumRx, OptumRx Holdings, Emisar

FILE/DOCKET NUMBER

D09437

Pursuant to Section 4.1 of the Commission's Rules of Practice, I (we) am (are) entering in the above proceeding the appearance of

- ☒ counsel supporting the complaint (Complete Items 1, 3, 4, and 5 below)
- ☐ counsel or representative for the respondent (Complete Items 1, 2, 4, and 5 below)
- ☐ counsel or representative for a third party (Complete Items 1, 2, 4, and 5 below)

1. COUNSEL OR REPRESENTATIVE

Include the name, address, email address, and telephone number of each counsel or representative entering an appearance in the above proceeding.

Derek E. Diaz (Attorney)
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Telephone: (216) 263-3421

2. RESPONDENT(S) OR THIRD PARTY(IES)

Include the address and telephone numbers of all persons, partnerships, corporations, or associations on whose behalf this Notice of Appearance is being filed.

3. ASSOCIATE/ASSISTANT DIRECTOR

Bradley Albert

4. SIGNATURE OF SENIOR COUNSEL

Rebecca Egeland

5. DATE SIGNED

09/12/2025

Return this form to: Federal Trade Commission
Room H-113
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

PUBLIC

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of

Caremark Rx, LLC;

Zinc Health Services, LLC;

Express Scripts, Inc.;

Evernorth Health, Inc.;

Medco Health Services, Inc.;

Ascent Health Services LLC;

OptumRx, Inc.;

OptumRx Holdings, LLC;

and

Emisar Pharma Services LLC.

Respondents.

Docket No. 9437

STATEMENT OF GOOD STANDING PURSUANT TO 16 C.F.R. § 4.1

Pursuant to 16 C.F.R. § 4.1(d), I state that I am eligible to practice before the Commission as a member of the Ohio Bar (Bar No. 69755) As requested by 16 C.F.R. § 4.1(d), I further state that I am a member of good standing within the legal profession.

Dated: September 12, 2025

Respectfully submitted,

/s/Derek E. Diaz

Derek E. Diaz

PUBLIC

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**Counsel Supporting the Complaint
Federal Trade Commission**

PUBLIC**CERTIFICATE OF SERVICE**

I hereby certify that on September 12, 2025, I caused the foregoing document to be filed electronically using the FTC's E-Filing System, which will send notification of such filing to:

April Tabor
Office of the Secretary
Federal Trade Commission
600 Pennsylvania Avenue, NW
Room H-113
Washington, DC 20580
ElectronicFilings@ftc.gov

The Honorable Jay L. Himes
Administrative Law Judge
Federal Trade Commission
600 Pennsylvania Avenue, NW
Room H-110
Washington, DC 20580
OALJ@ftc.gov

*Secretary of the Commission
Clerk of the Court*

Administrative Law Judge

I certify that no portion of the filing was drafted by generative artificial intelligence ("AI") (such as ChatGPT, Microsoft Copilot, Harvey.AI, or Google Gemini). I also certify that I caused the foregoing document to be served via email to:

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PUBLIC

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