

**CONFIDENTIAL & PROPRIETARY / TRADE SECRET**  
**NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OR**  
**VERMONT PUBLIC RECORDS LAW**

VIA E-MAIL

October 21, 2021

Gilead Sciences, Inc.  
333 Lakeside Drive  
Foster City, CA 94404

Office of the Vermont Attorney General  
Attention: Attorney General, TJ Donovan  
109 State Street  
Montpelier, VT 05609

AGO.highcostprescriptiondrugs@vermont.gov

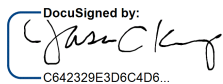
Dear Attorney General Donovan:

This letter provides notice, as required by Section 4637(b) of Vermont Act 193, as codified at 18 VT. Stat. Ann. § 4637 (“Act 193”), that Gilead Sciences, Inc. (“Gilead”) released a new prescription drug to market, EPCLUSA<sup>®</sup> (sofosbuvir and velpatasvir) oral pellets (NDCs 61958-2205-01 and 61958-2204-01) on October 18, 2021, at wholesale acquisition costs above that of a specialty drug under the Medicare Part D program.

Section 4637 of Act 193 does not currently define “release of the drug in the commercial market.” Further, Gilead is not aware of any guidance issued by the Office of the Attorney General (the “Office”) or any Vermont regulation that defines “release of the drug in the commercial market” for the purpose of Section 4637. Gilead interprets “release of the drug in the commercial market” to mean when Gilead makes a drug available for order.

We understand that, pursuant to Section 4637(e) of Act 193, the Office will publish information reported pursuant to Section 4637 on its website. Accordingly, we have attached a single-page version of this notice the Office can publish on its website while preserving the signatory’s right to privacy, consistent with Section 317(c)(10) of Title 1 of the Vermont Statutes Annotated. We ask that the Office only publish the single-page version of this notice on its website, pursuant to Section 4637(e) of Act 193.

Sincerely,

DocuSigned by:  
  
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Jason Krings  
Vice President, Managed Markets Strategy & Operations

### **Notice of New Drug Pursuant to Section 4637 of Vermont Act 193**

This letter provides notice, as required by Section 4637(b) of Vermont Act 193, as codified at 18 VT. Stat. Ann. § 4637, that Gilead Sciences, Inc. released a new prescription drug to market, EPCLUSA<sup>®</sup> (sofosbuvir and velpatasvir) oral pellets (NDCs 61958-2205-01 and 61958-2204-01) on October 18, 2021, at wholesale acquisition costs above that of a specialty drug under the Medicare Part D program.