

December 3, 2018

The Honorable Richard J. Leon  
Senior Judge  
U.S. District Court for the District of Columbia  
333 Constitution Avenue N.W.  
Washington D.C. 20001

Dear Judge Leon,

My name is Marie Bertola, and I am a pharmacist member of the Pharmacists Society of the State of New York, representing over 4,000 pharmacists and students of pharmacy in New York State. I also always try to support my local Independent Pharmacy, Anthony-Brown Pharmacy in Orchard Park, NY. I am writing on behalf of PSSNY and small business pharmacy owners everywhere to express my full opposition to the CVS-Aetna merger. I am greatly encouraged to know you are carefully considering the merger of these two excessively large corporations that together control a disproportionate share of the healthcare marketplace.

Let me tell you how this has personally affected my family. Our only option for prescription insurance through my husband's employer is CVS Caremark PBM. The only pharmacies they will let us fill prescriptions at are CVS pharmacies.

I have tried to argue for freedom of choice in pharmacy with this company to no avail. In the past, large companies have let Independent Pharmacies also participate in their plans so as not to put undue hardships on small local businesses. Those days are over.

I have personally seen so many local pharmacies close that it is disheartening to those of us who joined the profession back in the days where it was about caring for the customer as a medical professional.

Your Honor, I cannot understate the degree to which the giant corporate PBMs have abused the trust and goodwill of patients, consumers, taxpayers, medical providers and small business pharmacies.

Thank you for your consideration of the information provided here. On behalf of the small business pharmacies who are at the effect of CVS' anticompetitive business practices, we hope you will rule against the merger and protect the relationship between patients and their community pharmacies.

Respectfully,

*Marie Bertola RPh*

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