



## Third Circuit Court Upholds Decision to Dismiss Pacira BioSciences, Inc. Lawsuit

March 27, 2023

TAMPA, Fla., March 27, 2023 (GLOBE NEWSWIRE) -- [Pacira BioSciences, Inc.](#) (Nasdaq: PCRX) today announced that the United States Court of Appeals for the Third Circuit affirmed the District Court's dismissal of the Company's suit against the American Society of Anesthesiologists (ASA) and various other defendants.

This decision was predicated on the court's view that the findings in the *Anesthesiology* articles represented *scientific opinion* versus *scientific fact*. As such, the court indicated that the journal's readers, who are specialists in their field, are best positioned to choose whether to accept or reject these opinions—which they referred to as “tentative scientific conclusions.”

“The anesthesia community is an important ally in our mission to provide an opioid alternative to as many patients as possible. We look forward to continuing to partner with anesthesia, surgery, and physical medicine and rehabilitation clinicians to further advance patient care and improve clinical outcomes with opioids positioned for rescue use only,” said Dave Stack, chairman and chief executive officer of Pacira BioSciences. “We believe results speak for themselves. [EXPAREL®](#) (bupivacaine liposome injectable suspension) has been safely and successfully administered in more than 12 million patients to date; is backed by scores of published studies that demonstrate long-lasting pain control; and is the foundation of low- and no-opioid enhanced recovery pain management protocols across a variety of surgical settings, many of which are facilitating the rapid site of care migration to the outpatient environment. With the broad package insert for field block and nerve block procedures and improving reimbursement, we look forward to continued growth for adult and pediatric patients.”

### About Pacira BioSciences

Pacira BioSciences, Inc. (Nasdaq: PCRX) is the industry leader in its commitment to non-opioid pain management and regenerative health solutions to improve patients' journeys along the neural pain pathway. The company's long-acting local analgesic, EXPAREL® (bupivacaine liposome injectable suspension) was commercially launched in the United States in April 2012. EXPAREL utilizes DepoFoam®, a unique and proprietary product delivery technology that encapsulates drugs without altering their molecular structure, and releases them over a desired period of time. In April 2019, Pacira acquired the iovera® system, a handheld cryoanalgesia device used to deliver precise, controlled doses of cold temperature only to targeted nerves. To learn more about Pacira, including the corporate mission to reduce overreliance on opioids, visit [www.pacira.com](http://www.pacira.com).

### About EXPAREL®

EXPAREL (bupivacaine liposome injectable suspension) is indicated in patients 6 years of age and older for single-dose infiltration to produce postsurgical local analgesia, and in adults as an interscalene brachial plexus nerve block to produce postsurgical regional analgesia. Safety and efficacy have not been established in other nerve blocks. The product combines bupivacaine with DepoFoam®, a proven product delivery technology that delivers medication over a desired time period. EXPAREL represents the first and only multivesicular liposome local anesthetic that can be utilized in the peri- or postsurgical setting. By utilizing the DepoFoam platform, a single dose of EXPAREL delivers bupivacaine over time, providing significant reductions in cumulative pain scores with up to a 78 percent decrease in opioid consumption; the clinical benefit of the opioid reduction was not demonstrated. Additional information is available at [www.EXPAREL.com](http://www.EXPAREL.com).

### Important Safety Information

EXPAREL should not be used in obstetrical paracervical block anesthesia. In studies in adults where EXPAREL was injected into a wound, the most common side effects were nausea, constipation, and vomiting.

In studies in adults where EXPAREL was injected near a nerve, the most common side effects were nausea, fever, and constipation. In the study where EXPAREL was given to children, the most common side effects were nausea, vomiting, constipation, low blood pressure, low number of red blood cells, muscle twitching, blurred vision, itching, and rapid heartbeat. EXPAREL can cause a temporary loss of feeling and/or loss of muscle movement. How much and how long the loss of feeling and/or muscle movement depends on where and how much of EXPAREL was injected and may last for up to 5 days. EXPAREL is not recommended to be used in patients younger than 6 years old for injection into the wound, for patients younger than 18 years old for injection near a nerve, and/or in pregnant women. Tell your health care provider if you or your child has liver disease, since this may affect how the active ingredient (bupivacaine) in EXPAREL is eliminated from the body. EXPAREL should not be injected into the spine, joints, or veins. The active ingredient in EXPAREL can affect the nervous system and the cardiovascular system; may cause an allergic reaction; may cause damage if injected into the joints; and can cause a rare blood disorder.

### Forward-Looking Statements

*Any statements in this press release about Pacira's future expectations, plans, trends, outlook, projections and prospects, and other statements containing the words “believes,” “anticipates,” “plans,” “estimates,” “expects,” “intends,” “may,” “will,” “would,” “could,” “can” and similar expressions, constitute forward-looking statements within the meaning of the Private Securities Litigation Reform Act of 1995. Actual results may differ materially from those indicated by such forward-looking statements as a result of various important factors, including risks relating to, among others: the success of our sales and manufacturing efforts in support of the commercialization of EXPAREL; the rate and degree of market acceptance of EXPAREL; the size and growth of the potential markets for EXPAREL and our ability to serve those markets; our plans to expand the use of EXPAREL to additional indications and opportunities, and the timing and success of any related clinical trials for EXPAREL; the commercial success of EXPAREL; and factors discussed in the “Risk Factors” of our most recent Annual Report on Form 10-K and in other filings that we periodically make with the Securities and Exchange Commission (the “SEC”). In addition, the forward-looking statements included in this press release represent our views as of the date of this press release. Important factors could cause actual results to differ materially from those indicated or implied by forward-looking statements, and as such we anticipate that subsequent events and developments will cause our views to change. Except as required by applicable law, we undertake no intention or obligation to update or revise any forward-looking statements, whether as a result of new information, future events or otherwise, and readers should not rely on these forward-looking statements as representing our views as of any date subsequent to the date of this press release.*

Company Contact: Pacira BioSciences, Inc. Susan Mesco, (973) 451-4030 [susan.mesco@pacira.com](mailto:susan.mesco@pacira.com) Media Contact: Pacira BioSciences, Inc. Sara Marino, (973) 370-5430 [sara.marino@pacira.com](mailto:sara.marino@pacira.com)