

**FIFTH AMENDMENT TO AND RENEWAL OF AGREEMENT BETWEEN
THE OHIO ATTORNEY GENERAL
AND AMPHASTAR**

WHEREAS, the Ohio Attorney General (“Attorney General”) and Amphastar Pharmaceuticals, Inc. (“Amphastar”) entered into an Agreement between the Ohio Attorney General and Amphastar effective on March 2, 2015 and expiring on March 2, 2016 (the “Agreement”); and

WHEREAS, the Attorney General and Amphastar entered into a First Amendment to the Agreement on February 25, 2016, to, among other things, extend the time of performance to March 2, 2017; and

WHEREAS, the Attorney General and Amphastar entered into a Second Amendment to the Agreement on March 2, 2017, to, among other things, extend the time of performance to March 2, 2018; and

WHEREAS, the Attorney General and Amphastar entered into a Third Amendment to the Agreement on September 27, 2017, to, among other things, extend the time of performance to March 31, 2019; and

WHEREAS, the Attorney General and Amphastar entered into a Fourth Amendment to the Agreement on July 12, 2019, to, among other things, extend the time of performance to March 31, 2021; and

Whereas the parties now desire to renew the Agreement for an additional term from March 31, 2021 through March 31, 2023; and

WHEREAS, in the renewed Agreement, the Attorney General and Amphastar now desire to amend the Agreement to change and add provisions to the Agreement;

NOW THEREFORE, the Attorney General and Amphastar agree to enter into this Fifth Amendment to and Renewal of the Agreement as follows:

1. The first sentence of Paragraph 4 of the Agreement is hereby deleted and replaced with the following: “This Agreement shall apply to Syringes purchased from the Effective Date of this Agreement until March 31, 2023.” The time of performance for the renewed Agreement is effective March 31, 2021.
2. The final sentence of Paragraph 3 of the Agreement is hereby deleted and replaced with the following: “All Certified Requests by a Public Entity for syringes purchased during the Term of this Agreement must be submitted to Amphastar before December 31, 2023 to participate in this program.”
3. All other terms and conditions of the Agreement remain the same.
4. This Fifth Amendment to and Renewal of the Agreement is effective as of March 31, 2021.

(signatures on next page)

IN WITNESS WHEREOF, the parties hereto have caused this FOURTH Amendment to and Renewal of the Agreement to be executed by their duly authorized representatives.

AMPHASTAR PHARMACEUTICALS, INC.

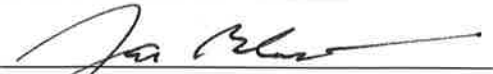
By:  _____

Name: Jacob Liawatidewi

Title: Executive VP, Sales & Marketing

Date: 3/25/21

OHIO ATTORNEY GENERAL

By:  _____

Jonathan Blanton
Deputy Attorney General for Major Litigation

Date: 3/26/21

Approval as to form:

By:  _____

Kari B. Hertel
Principal Assistant Attorney General
Finance Section, Business Counsel Unit

Date: 3/22/21