

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 15-5214**September Term, 2015****1:14-cv-00324-RDM****Filed On:** December 9, 2015

Amarin Pharmaceuticals Ireland Limited,
Appellee

v.

Food & Drug Administration, et al.,
Appellees

Watson Laboratories Inc.,
Appellant

BEFORE: Kavanaugh, Pillard, and Wilkins, Circuit Judges

ORDER

Upon consideration of the motions to dismiss for lack of jurisdiction, the response thereto, and the replies; and the motion for limited remand, the response thereto, and the reply, it is

ORDERED that the motions to dismiss be granted. The district court order remanding to the FDA is not an appealable final order, because it anticipates further agency action not limited to merely “ministerial” proceedings. See Pueblo of Sandia v. Babbitt, 231 F.3d 878, 880 (D.C. Cir. 2000). It is

FURTHER ORDERED that the motion for limited remand be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam