

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 09-5281

September Term 2009

1:09-cv-01111-RMC

Filed On: May 17, 2010

Teva Pharmaceuticals, USA, Inc.,

Appellant

v.

Kathleen Sebelius, in her official capacity as
Secretary of Health and Human Services, et
al.,

Appellees

Consolidated with 09-5308

BEFORE: Sentelle, Chief Judge, and Ginsburg,* Henderson, Rogers, Tatel,
Garland, Brown, Griffith, and Kavanaugh, Circuit Judges; Williams,
Senior Circuit Judge

ORDER

Upon consideration of appellees' petition for rehearing en banc, the response thereto, and the absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk

*Circuit Judge Ginsburg did not participate in this matter.