

**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

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Consolidated with 09-5308

**BEFORE:** Henderson and Griffith, Circuit Judges, and Williams, Senior Circuit  
Judge

**ORDER**

Upon consideration of appellees' petition for rehearing filed April 5, 2010, it is

**ORDERED** that the petition be denied.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/  
Michael C. McGrail  
Deputy Clerk