

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5032

September Term 2010

1:09-cv-00771-RJL

Filed On: December 7, 2010 [1281607]

John F. Banzhaf, Executive Director of
Action on Smoking and Health (ASH) and
Sottera, Inc., doing business as Njoy,

Appellees

v.

Food & Drug Administration, et al.,

Appellants

ORDER

It is **ORDERED**, on the court's own motion, that the Clerk withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41. This instruction to the Clerk is without prejudice to the right of any party to move for expedited issuance of the mandate for good cause shown.

FOR THE COURT:

Mark J. Langer, Clerk

BY: /s/
Michael C. McGrail
Deputy Clerk