

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 10-5032**

**September Term 2010**

**1:09-cv-00771-RJL**

**Filed On:** January 24, 2011

Sottera, Inc., doing business as Njoy,

Appellees

v.

Food & Drug Administration, et al.,

Appellants

**BEFORE:** Garland and Kavanaugh, Circuit Judges, and Williams, Senior  
Circuit Judge

**ORDER**

Upon consideration of appellants' petition for panel rehearing filed on December 20, 2010; appellants' motion to reinstate stay of preliminary injunction pending disposition of petition for rehearing and rehearing en banc, and the opposition thereto; and the motion of amici curiae American Academy of Pediatrics, et al. for leave to participate as amici curiae in support of appellants' petition for rehearing, and the lodged brief, it is

**ORDERED** that the motion of amici curiae for leave to participate be granted. The Clerk is directed to file the lodged brief. It is

**FURTHER ORDERED** that the petition be denied. It is

**FURTHER ORDERED** that the motion to reinstate stay of preliminary injunction be dismissed as moot.

**Per Curiam**

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

BY: /s/  
Jennifer M. Clark  
Deputy Clerk