

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1413

AVENTIS PHARMA S.A.  
and AVENTIS PHARMACEUTICALS, INC.,

Plaintiffs-Appellees,

v.

AMPHASTAR PHARMACEUTICALS, INC.,

Defendant-Appellant.

Appeal from the United States District Court for the Central District of California in  
case nos. 03-CV-887 and 04-CV-333, Senior Judge Mariana R. Pfaelzer.

ON MOTION

## ORDER

The parties move jointly to voluntarily dismiss this appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

SEP 29 2009

\_\_\_\_\_  
Date

/s/ Jan Horbaly

\_\_\_\_\_  
Jan Horbaly  
Clerk

cc: M. Sean Royall, Esq.  
Jan P. Weir, Esq.

s17

SEP 29 2009

ISSUED AS A MANDATE: \_\_\_\_\_

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

SEP 29 2009

JAN HORBALY  
CLERK