

[ORAL ARGUMENT NOT SCHEDULED]IN THE UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Ferring Pharmaceuticals, Inc.,

Appellee,

v.

Thomas E. Price, in his official capacity as
Secretary, United States Department of Health
and Human Services, et al.,

Appellants.

No. 16-5326

UNOPPOSED MOTION FOR VOLUNTARY DISMISSAL

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellants hereby move to dismiss the appeal in the above-captioned matter, with each party to bear its own costs. This motion is unopposed: Counsel for the government has contacted Susan Cook, counsel for Appellee, who has authorized us to state that the Appellee does not oppose this motion.

Respectfully submitted,

CHAD A. READLER

Acting Assistant Attorney General

SCOTT R. McINTOSH

s/ Tara S. Morrissey

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MARCH 2017

CERTIFICATE OF COMPLIANCE

I hereby certify that this motion complies with the requirements of Federal Rule of Appellate Procedure 27(d)(2). This motion contains 63 words.

s/ Tara S. Morrissey

Tara S. Morrissey

CERTIFICATE OF SERVICE

I hereby certify that on March 14, 2017, I filed and served the foregoing with the Clerk of the Court by causing a copy to be electronically filed via the appellate CM/ECF system. I also hereby certify that the participants in the case are registered CM/ECF users and will be served via the CM/ECF system.

s/ Tara S. Morrissey

Tara S. Morrissey