

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 5:10-cv-147-Oc-32GRJ

FRANCK'S LAB, INC., et al.,

Defendants.

ORDER

This case is before the Court on Defendants' Motion to Dismiss (Doc. 13) and the Government's Motion for Preliminary Injunction (Doc. 16). The Court heard oral argument on August 18, 2010 (Doc. 43), the record of which is incorporated by reference. For the reasons stated on the record, it is hereby

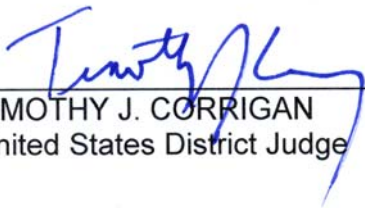
ORDERED:

1. Defendants' Motion to Dismiss (Doc. 13) is **DENIED**.
2. Government's Motion for Preliminary Injunction (Doc. 16) is **DENIED**

WITHOUT PREJUDICE.

3. **No later than September 1, 2010**, the parties shall file a joint report regarding: (i) scheduling of this case; and (ii) the status of Defendants' voluntary suspension of animal drug compounding.

DONE AND ORDERED at Jacksonville, Florida this 19th day of August, 2010.


TIMOTHY J. CORRIGAN
United States District Judge

jmm.
Copies:

counsel of record