

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

ASTELLAS PHARMA US, INC.,	:	
	:	
Plaintiff,	:	Civil Action No.: 09-1511 (RMU)
	:	
v.	:	Re Document No.: 3
	:	
FOOD AND DRUG ADMINISTRATION	:	
and KATHELEEN SEBELIUS, Secretary	:	
of Health and Human Services,	:	
	:	
Defendants.	:	

**ORDER**

**DENYING THE PLAINTIFF'S MOTION FOR A TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

For the reasons set forth in a memorandum opinion to follow, it is this 12th day of August, 2009, hereby

**ORDERED** that the plaintiff's motion for a temporary restraining order and preliminary injunction is **DENIED**.

**SO ORDERED.**

RICARDO M. URBINA  
United States District Judge