

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

APOTEX INC.,

Plaintiff,

v.

FOOD AND DRUG ADMINISTRATION,
et al.,

Defendants.

Civil Action No. 05-0125 (JDB)

ORDER

Upon consideration of plaintiff's motion for summary judgment, defendants' cross-motion for summary judgment, the memoranda of the parties, the entire record herein, and for the reasons stated in the accompanying Memorandum Opinion issued on this date, it is hereby

ORDERED that plaintiff's motion for summary judgment is **DENIED**; it is further

ORDERED that defendants' motion for summary judgment is **GRANTED**; and it is further

ORDERED that judgment shall be entered in favor of defendants.

/s/ John D. Bates

JOHN D. BATES
United States District Judge

Dated: February 13, 2006

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