

NOTE: This order is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**PFIZER INC., PHARMACIA & UPJOHN COMPANY,  
AND PFIZER HEALTH AB,**  
*Plaintiffs/Counterclaim Defendants-  
Appellees,*

v.

**IVAX PHARMACEUTICALS, INC.,**  
*Defendant/Counterclaimant-  
Appellant,*

AND

**TEVA PHARMACEUTICALS USA, INC.,**  
*Counterclaimant-Appellant.*

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2010-1206

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Appeal from the United States District Court for the  
District of New Jersey in case no. 07-CV-0174, Judge  
Dennis M. Cavanaugh.

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**ON MOTION**

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**ORDER**

Upon consideration of the parties' joint motion to withdraw this appeal,

IT IS ORDERED THAT:

- (1) The motion is granted and the appeal is dismissed.\*
- (2) Each side shall bear its own costs.

FOR THE COURT

AUG 26 2011  
Date

/s/ Jan Horbaly  
Jan Horbaly  
Clerk

cc: John C. Englander, Esq.  
Dimitrios T. Drivas, Esq.

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Issued As A Mandate: AUG 26 2011

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

**AUG 26 2011**

**JAN HORBALY**  
**CLERK**

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\* In the caption of the motion, "remand" is also requested. Dismissal is the usual course when an appeal is "withdrawn." Dismissal and remand are mutually exclusive dispositions. In the text of the motion the parties do not offer grounds why the case should be remanded rather than dismissed.