

NOTE: This order is nonprecedential.

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

IN RE SMITH & NEPHEW, INC.,
Petitioner.

Miscellaneous Docket No. 940

On Petition for Writ of Mandamus to the United States District Court for the Eastern District of Texas in case no. 09-CV-0378, Judge T. John Ward.

ON PETITION FOR WRIT OF MANDAMUS

O R D E R

Upon consideration of Smith & Nephew, Inc.'s response to this court's September 21, 2010 order,

IT IS ORDERED THAT:

The motion for reinstatement is moot.

IN RE SMITH & NEPHEW

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FOR THE COURT

OCT 25 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Gregory N. Stillman, Esq.
Joseph M. Vanek, Esq.
Clerk, United States District Court for the Eastern
District Of Texas

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

OCT 25 2010

JAN HORBALY
CLERK