

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Philip A. Brimmer

Civil Action No. 08-cv-02606-PAB-KMT

VINTON THEISS and
LISA THEISS,

Plaintiffs,

v.

I-FLOW, INC., a Delaware corporation,
ABBOTT LABORATORIES, an Illinois corporation,
ABBOTT LABORATORIES d/b/a AP PHARMACEUTICALS, INC., an Illinois
corporation,
ABBOTT LABORATORIES d/b/a ABBOTT SALES, MARKET & DISTRIBUTION
COMPANY, a Delaware corporation,
HOSPIRA, INC., a Delaware corporation,
ASTRAZENECA PHARMACEUTICALS LP, a Delaware corporation,
ASTRAZENECA LP, a Delaware corporation,
ZENECA HOLDINGS, INC., a Delaware corporation,
APP PHARMACEUTICALS, LLC, a Delaware corporation,
APP PHARMACEUTICALS, INC., a Delaware corporation,
ABRAXIS BIOSCIENCE, INC., a Delaware corporation, and
ABRAXIS BIOSCIENCE, LLC, A California corporation,

Defendants.

**ORDER OF DISMISSAL WITHOUT PREJUDICE AS TO DEFENDANTS
ASTRAZENECA PHARMACEUTICALS LP, ASTRAZENECA LP, ZENECA
HOLDINGS, INC., APP PHARMACEUTICALS, LLC, APP PHARMACEUTICALS,
INC., ABRAXIS BIOSCIENCE, INC., and ABRAXIS BIOSCIENCE, LLC**

THIS MATTER comes before the Court upon the Unopposed Joint Motion to Dismiss AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Holdings, Inc., APP Pharmaceuticals, LLC, APP Pharmaceuticals, Inc., Abraxis Bioscience, Inc., and Abraxis Bioscience, LLC [Docket No. 52]. The Court has reviewed the pleading and is fully advised in the premises. It is

ORDERED that the motion to dismiss [Docket No. 52] is granted. It is further **ORDERED** that, pursuant to Fed. R. Civ. P. 41(a), all claims asserted in this matter against defendants AstraZeneca Pharmaceuticals LP, AstraZeneca LP, Zeneca Holdings, Inc., APP Pharmaceuticals, LLC, APP Pharmaceuticals, Inc., Abraxis Bioscience, Inc., and Abraxis Bioscience, LLC are dismissed without prejudice, with each party to bear its own attorneys' fees and costs.

DATED February 19, 2009.

BY THE COURT:

s/Philip A. Brimmer

PHILIP A. BRIMMER
United States District Judge