

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

---

R.J. REYNOLDS TOBACCO COMPANY,  
LORILLARD TOBACCO COMPANY,  
COMMONWEALTH BRANDS, INC.,  
LIGGETT GROUP LLC, and SANTA FE  
NATURAL TOBACCO COMPANY, INC.,

Civil Action No. 11-01482 (RCL)

Plaintiffs,

v.

UNITED STATES FOOD AND DRUG  
ADMINISTRATION, MARGARET  
HAMBURG, Commissioner of the United  
States Food and Drug Administration, and  
KATHLEEN SEBELIUS, Secretary of the  
United States Department of Health and  
Human Services,

---

Defendants.

**[PROPOSED] ORDER DENYING DEFENDANTS' MOTION  
TO INCORPORATE SUMMARY JUDGMENT BRIEF  
INTO OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

The Court, having considered Defendants' Motion to Incorporate Summary Judgment Brief into Opposition to Motion for Preliminary Injunction, and Plaintiffs' opposition to that motion, hereby DENIES Defendants' Motion to Incorporate Summary Judgment Brief into Opposition to Motion for Preliminary Injunction.

It is SO ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

---

Hon. Richard J. Leon  
United States District Judge