

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

UNITED STATES OF AMERICA <i>ex rel.</i>	)	
NOAH NATHAN, <i>et al.</i> ,	)	
	)	
Plaintiffs/Relator,	)	Case No. 1:09-cv-1086 (AJT)
	)	
v.	)	
	)	
TAKEDA PHARMACEUTICALS	)	
NORTH AMERICA, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	

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**ORDER**

This matter is before the Court on Takeda Pharmaceuticals North America, Inc.'s and Takeda Pharmaceuticals America, Inc.'s (collectively, "Takeda's") Motion to Dismiss Relator's Third Amended Complaint [Doc. No. 76] (the "Motion"). Upon consideration of the Motion, the memoranda and exhibits in support thereof and in opposition thereto, and the arguments of counsel at a hearing on July 8, 2011, and for the reasons contained in the accompanying Memorandum Opinion, it is hereby

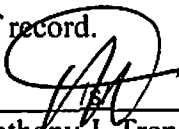
ORDERED that Takeda's Motion to Dismiss Relator's Third Amended Complaint [Doc. No. 76] be, and the same hereby is, GRANTED; and it is further

ORDERED that Counts I and II of Relator's Third Amended Complaint [Doc. No. 73] be, and the same hereby are, DISMISSED without leave to amend; and it is further

ORDERED that the remainder of Relator's Third Amended Complaint be, and the same hereby is DISMISSED without prejudice.

The Clerk is directed to enter judgment in favor of defendants Takeda Pharmaceuticals North America, Inc. and Takeda Pharmaceuticals America, Inc. as to

Counts I and II of Relator's Third Amended Complaint pursuant to Fed. R. Civ. P. 58, and  
to forward copies of this Order to all counsel of record.



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Anthony J. Trenga  
United States District Judge

Alexandria, Virginia  
September 6, 2011