

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 10-5032

September Term, 2010

FILED ON: DECEMBER 7, 2010

SOTTERA, INC., DOING BUSINESS AS NJOY,
APPELLEE

v.

FOOD & DRUG ADMINISTRATION, ET AL.,
APPELLANTS

Appeal from the United States District Court
for the District of Columbia
(No. 1:09-cv-00771)

Before: GARLAND and KAVANAUGH, *Circuit Judges*, and WILLIAMS, *Senior Circuit Judge*

J U D G M E N T

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the judgment of the District Court appealed from in this cause is hereby affirmed, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk

Date: December 7, 2010

Opinion for the court filed by Senior Circuit Judge Williams.
Opinion concurring in the judgment filed by Circuit Judge Garland.