

Exhibit B

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17-5128**September Term, 2017****1:15-cv-02034-TSC****Filed On:** August 3, 2018

Michael J. Daugherty and LABMD, Inc.,

Appellees

v.

Alain H. Sheer, in his individual capacity and
Ruth T. Yodaiken, in her individual capacity,

Appellants

Does 1-10, in their individual capacities,

Appellee

BEFORE: Garland, Chief Judge; Henderson, Rogers, Tatel, Griffith,
Kavanaugh*, Srinivasan, Millett, Pillard, Wilkins, and Katsas, Circuit
Judges; Sentelle, Senior Circuit Judge

ORDER

Upon consideration of appellees' petition for rehearing en banc, and the
absence of a request by any member of the court for a vote, it is

ORDERED that the petition be denied.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/
Ken R. Meadows
Deputy Clerk

* Circuit Judge Kavanaugh did not participate in this matter.