

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

No: 18-2926

Pharmaceutical Care Management Association

Appellant

v.

Nizar Wehbi, in his official capacity as the State Health Officer of North Dakota, et al.

Appellees

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The Chamber of Commerce of the United States of America, et al.

Amici on Behalf of Appellant(s)

National Association of Chain Drug Stores, et al.

Amici on Behalf of Appellee(s)

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Appeal from U.S. District Court for the District of North Dakota - Bismarck  
(1:17-cv-00141-DLH)

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**ORDER**

The petition for rehearing *en banc* is denied. The petition for rehearing by the panel is also denied.

Judge Loken would grant the petition for rehearing *en banc*.

Judge Colloton and Judge Erickson did not participate in the consideration or decision of this matter.

February 11, 2022

Order Entered at the Direction of the Court:  
Clerk, U.S. Court of Appeals, Eighth Circuit.

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/s/ Michael E. Gans