

TAB B

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

ELI LILLY AND COMPANY,
Plaintiff-Appellee

v.

HOSPIRA, INC.,
Defendant-Appellant

2018-2126, 2018-2127

Appeals from the United States District Court for the Southern District of Indiana in No. 1:16-cv-03460-TWP-MPB, Judge Tanya Walton Pratt.

ON PETITION FOR REHEARING EN BANC

Before PROST, *Chief Judge*, NEWMAN, LOURIE, DYK, MOORE, O'MALLEY, REYNA, WALLACH, TARANTO, CHEN, HUGHES, and STOLL, *Circuit Judges*.

PER CURIAM.

O R D E R

Appellant Hospira, Inc. filed a petition for rehearing en banc. A response to the petition was invited by the court and filed by Appellee Eli Lilly and Company. The petition

was first referred as a petition for rehearing to the panel that heard the appeal, and thereafter the petition for rehearing en banc was referred to the circuit judges who are in regular active service.

Upon consideration thereof,

IT IS ORDERED THAT:

The petition for panel rehearing is denied.

The petition for rehearing en banc is denied.

The mandate of the court will issue on November 15, 2019.

FOR THE COURT

November 8, 2019
Date

/s/ Peter R. Marksteiner
Peter R. Marksteiner
Clerk of Court