

NOTE: This order is nonprecedential.

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

**JOSEPH M. CARIK, JAMES BEADNELL, JOY
BEADNELL, GEORGE DEMKO, ADAM DIBLE,
CAROL E. EMERSON, MICHAEL GNIDOVEC,
MICHAEL A. MASULA, THOMAS JAMES
OLSZEWSKI, THOMAS STANZIANO, LAURA
WINCHESTER, JOHN DOE, 1-8, JANE DOE, 1-5, AND
JENNIFER LACOGNATA,
*Plaintiffs-Appellants,***

v.

**DEPARTMENT OF HEALTH AND HUMAN
SERVICES, KATHLEEN SEBELIUS, SECRETARY
OF HEALTH AND HUMAN SERVICES, UNITED
STATES FOOD AND DRUG ADMINISTRATION,
MARGARET A. HAMBURG, M.D., COMMISSIONER
OF FOOD AND DRUGS, FOOD AND DRUG
ADMINISTRATION, UNITED STATES NATIONAL
INSTITUTES OF HEALTH, AND DR. FRANCIS S.
COLLINS, IN HIS OFFICIAL CAPACITY AS THE
DIRECTOR, NATIONAL INSTITUTES OF HEALTH,
*Defendants-Appellees,***

AND

**MOUNT SINAI SCHOOL OF MEDICINE,
*Defendant.***

2014-1270

Appeal from the United States District Court for the District of Columbia in No. 1:12-cv-00272-BAH, Judge Beryl A. Howell.

ON MOTION

O R D E R

The parties jointly move to dismiss this appeal. Mount Sinai School of Medicine notifies the court that it will not be participating in the appeal and requests that its designation as an appellee be stricken from the official caption because the claims against it were voluntarily dismissed in the district court.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion to dismiss this appeal is granted. The appeal is dismissed.
- (2) Each side shall bear its own costs.
- (3) Pursuant to Mount Sinai's notice, the revised official caption is reflected above.

FOR THE COURT

/s/ Daniel E. O'Toole
Daniel E. O'Toole
Clerk of Court

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ISSUED AS A MANDATE: May 6, 2014