

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-1359

BARD PERIPHERAL VASCULAR, INC.  
and DAVID GOLDFARB, M.D.,

Plaintiffs/Counterclaim Defendants-  
Appellants,

and

C.R. BARD, INC.,

Counterclaim Defendant,

v.

W.L. GORE & ASSOCIATES, INC.,

Defendant-Counterclaimant-Appellee.

Appeal from the United States District Court for the District of Arizona  
in case no. 03-CV-597, Judge Mary H. Murguia.

ON MOTION

## ORDER

Upon consideration of the appellants' motion to voluntarily dismiss their appeal,\*

IT IS ORDERED THAT:

The motion is granted. Each side shall bear its own costs.

FOR THE COURT

SEP 11 2009

Date

/s/ Jan Horbaly

Jan Horbaly  
Clerk

**FILED**  
U.S. COURT OF APPEALS FOR  
THE FEDERAL CIRCUIT

cc: John C. O'Quinn, Esq.  
David H. Pfeffer, Esq.

s8

SEP 11 2009

ISSUED AS A MANDATE: \_\_\_\_\_

SEP 11 2009

JAN HORBALY  
CLERK

\* It is not the court's usual practice to designate a voluntary dismissal as being with or without prejudice.