

NOTE: This order is nonprecedential.

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

ALLERGAN, INC.,
Plaintiff-Appellant,

and

**MURRAY A. JOHNSTONE, M.D. and DUKE
UNIVERSITY,**
Plaintiffs,

v.

**ATHENA COSMETICS, INC., PHARMA TECH
INTERNATIONAL, INC.,
and NORTHWEST COSMETIC LABORATORIES,
INC.,**
Defendants-Appellees,

and

COSMETIC ALCHEMY, LLC
Defendant-Appellee,

and

NUTRA-LUXE M.D.,
Defendant,

and

**STELLA INTERNATIONAL, LLC,
PRODUCT INNOVATIONS, LLC,**
Movants-Appellees,

and

METICS, LLC,

Movant,

and

**PETER THOMAS ROTH, INC. and
PETER THOMAS ROTH LABS LLC,**

Defendants-Appellees,

and

**LIFETECH RESOURCES, LLC and ROCASUBA,
INC.,**

Defendants-Appellees,

and

**GLOBAL MDRX, COSMETIC TECHNOLOGIES,
INC., DMI,**

**LA CANADA VENTURES INC., and SUSAN F. LIN,
M.D.,**

Defendants.

2010-1394

Appeal from the United States District Court for the
Central District of California in consolidated case nos. 07-
CV-1316 and 09-CV-0328, Judge James V. Selna.

ON MOTION

Before SCHALL, *Circuit Judge.*

O R D E R

Allergan, Inc. moves for summary reversal or, in the alternative, for expedited treatment. Lifetech Resources, LLC et al. oppose. Athena Cosmetics, Inc. et al., Peter Thomas Roth, Inc. et al., Cosmetic Alchemy, LLC, and Stella International, LLC et al. oppose.* Allergan replies.

Allergan has not shown that it is entitled to the relief it seeks. Allergan should include arguments concerning the merits of the case in its briefs.

Accordingly,

IT IS ORDERED THAT:

The motion is denied. The appellees should calculate the due date for their briefs from the date of filing of this order.

FOR THE COURT

OCT 28 2010

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Mark A. Perry, Esq.
Robert B. Breisblatt, Esq.
Jeffrey L. Weiss, Esq.
Martin C. Washton, Esq.
Brad M. Scheller, Esq.

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

OCT 28 2010

s17

JAN HORBALY
CLERK

* Athena et al.'s opposition indicates that it is also submitted on behalf of Metics, LLC. However, counsel for Metics has not entered an appearance. If Metics intends to participate in this appeal, counsel should enter an appearance promptly.