

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

_____)	
SANDOZ INC.)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:05CV01810 (RMU)
)	
MICHAEL O. LEAVITT, et al.)	
)	
Defendants.)	
_____)	

NOTICE OF APPEAL

Notice is hereby given that the federal defendants, Michael O. Leavitt, Secretary of Health and Human Services, and Andrew C. von Eschenbach, M.D., Acting Commissioner of Food and Drugs, appeal to the United States Court of Appeals for the District of Columbia Circuit from the order entered in this action on April 10, 2006, granting plaintiff's motion for summary judgment and denying defendants' motion for summary judgment.

Of Counsel:

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing Notice of Appeal to be served via the District Court's electronic filing (ECF) system upon:

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this 9th day of June, 2006.

 /s/
Andrew E. Clark