

FILED

UNITED STATES COURT OF APPEALS

MAR 14 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FEDERAL TRADE COMMISSION,

Plaintiff - Appellant,

v.

LABORATORY CORPORATION OF
AMERICA and LABORATORY
CORPORATION OF AMERICA
HOLDINGS,

Defendants - Appellees.

No. 11-55293

D.C. No. 8:10-cv-01873-AG
Central District of California,
Santa Ana

ORDER

Before: LEAVY, TASHIMA, and BYBEE, Circuit Judges.

The temporary injunction issued on March 4, 2011 is lifted. Appellant's opposed emergency motion for injunctive relief is denied. *See* 15 U.S.C. §53(b); *see also FTC v. Affordable Media*, 179 F.3d 1228, 1233 (9th Cir. 1999).

The previously established briefing schedule remains in effect. No request for an extension of time for briefing shall be granted absent extraordinary circumstances. This case shall be calendared during the week of June 6, 2011 at The Richard H. Chambers Courthouse in Pasadena, California.

Judge Tashima would have granted the emergency motion for injunctive relief. *See FTC v. Warner Commc'ns*, 742 F.2d 1156, 1160, 1162 (9th Cir. 1984).