

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 14-2017

EISAI, INC.,

Appellant

v.

SANOFI AVENTIS U.S., LLC;
SANOFI U.S. SERVICES, INC. f/k/a Sanofi-Aventis U.S. Inc.

(D.C. Civ. No. 3:08-cv-04168)

SUR PETITION FOR REHEARING

Present: AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN,
HARDIMAN, GREENAWAY, JR., VANASKIE, SHWARTZ, KRAUSE,
RESTREPO and *ROTH, Circuit Judges

The petition for rehearing filed by **appellant** in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who

* The Honorable Jane R. Roth, vote limited to panel rehearing only.

concluded in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Jane R. Roth
Circuit Judge

Dated: June 8, 2016

CLW/cc: Joseph C. Amoroso, Esq.
Thomas J. Cullen, Jr., Esq.
Timothy I. Duffy, Esq.
Jay N. Fastow, Esq.
James Frederick, Esq.
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Marc D. Haefner, Esq.
Liza M. Walsh, Esq.