

THE UNITED STATES COURT OF APPEAL
FOR THE THIRD CIRCUIT

Case No: 06-8045

SARAH MORGAN, on behalf of herself
and all others similarly situated

v.

DENNIS W. GAY; GINA GAY; BASIC RESEARCH, L.L.C.;
BAN, L.L.C.; KLEIN-BECKER, USA L.L.C.;
COVAXIL LABORATORIES, L.L.C.; CARTER-REED COMPANY, L.L.C.,
a/k/a THE CARTER-REED COMPANY; A.G. WATERHOUSE, L.L.C.;
ALPHAGENBO TECH, L.L.C.; BODY FORUM, L.L.C.;
BODY INNOVENTIONS, L.L.C.; COVARIX, L.L.C.;
BYDEX MANAGEMENT, L.L.C.; NUTRASPORT, L.L.C.;
SOVAGE DERMALOGIC LABORATORIES, L.L.C.;
WESTERN HOLDING, L.L.C.; GEORGE EVAN BYBEE;
DANIEL B. MOWREY, Ph.D; NATHALIE CHEVREAU, Ph.D;
MITCHELL K. FRIEDLANDER; MICHAEL MEADE,

Petitioners

On Appeal from the United States District Court
for the District of New Jersey
District Court No.-06-cv-01371
District Judge: The Honorable Garrett E. Brown, Jr.

Submitted September 7, 2006

Before: BARRY, SMITH, and NYGAARD, *Circuit Judges*

ORDER

This cause came to be heard on a Petition for Leave to Appeal pursuant to 28

U.S.C. § 1453(c) from the United States District Court for the District of New Jersey and was submitted on August 16, 2006. On consideration thereof, it is now ORDERED that Defendants' Petition for Leave to Appeal under 28 U.S.C. § 1453(c) is granted. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ D. Brooks Smith
Circuit Judge

Dated: October 16, 2006