

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 18-5195

September Term, 2019

FILED ON: JULY 7, 2020

CIGAR ASSOCIATION OF AMERICA, ET AL.,
APPELLANTS

v.

UNITED STATES FOOD AND DRUG ADMINISTRATION, ET AL.,
APPELLEES

Appeal from the United States District Court
for the District of Columbia
(No. 1:16-cv-01460)

Before: GARLAND and KATSAS, *Circuit Judges*, and RANDOLPH, *Senior Circuit Judge*.

J U D G M E N T

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the District Court's grant of summary judgment to the FDA and the denial of summary judgment to the plaintiffs appealed from in this cause be reversed, plaintiffs' appeal from the denial of the motion for a preliminary injunction be dismissed as moot, and the case be remanded for further proceedings, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk

Date: July 7, 2020

Opinion for the court filed by Circuit Judge Katsas.