

NOTE: This disposition is nonprecedential.

**United States Court of Appeals  
for the Federal Circuit**

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**PROMETHEUS LABORATORIES, INC.,**  
*Plaintiff-Appellant,*

v.

**MAYO COLLABORATIVE SERVICES (DOING  
BUSINESS AS MAYO MEDICAL LABORATORIES)  
AND MAYO CLINIC ROCHESTER,**  
*Defendants-Appellees.*

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2008-1403

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Appeal from the United States District Court for the  
Southern District of California in Case No. 04-CV-1200,  
Judge John A. Houston.

PER CURIAM.

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**ORDER**

On June 29, 2010, the Supreme Court of the United  
States granted certiorari in the above captioned matter,  
vacating and remanding to this Court in light of the  
Supreme Court's decision in *Bilski v. Kappos*, -- U.S. --,  
2010 WL 2555192 (June 28, 2010). Accordingly,

IT IS ORDERED THAT:

(1) The parties are requested to file simultaneous supplemental briefs, not to exceed 20 pages, double-spaced, addressing the effect of the Supreme Court's *Bilski* decision on the disposition of this case. No additional briefing or oral argument is contemplated at this time.

(2) The supplemental briefs are due no later than 30 days from the date of this Order.

FOR THE COURT

September 1, 2010

/s/ Jan Horbaly

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Date

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Jan Horbaly  
Clerk