

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

United States Court of Appeals  
Fifth Circuit

**FILED**

August 19, 2025

Lyle W. Cayce  
Clerk

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No. 25-50661

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NATIONAL INFUSION CENTER ASSOCIATION, *on behalf of itself and its members*; GLOBAL COLON CANCER ASSOCIATION, *on behalf of itself and its members*; PHARMACEUTICAL RESEARCH AND MANUFACTURERS OF AMERICA, *on behalf of itself and its members*,

*Plaintiffs—Appellants,*

*versus*

ROBERT F. KENNEDY, JR., *Secretary, U.S. Department of Health and Human Services, In his Official Capacity*; UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES; MEHMET OZ, *Administrator of THE CENTERS FOR MEDICARE and MEDICAID SERVICES, In his Official Capacity*; CENTERS FOR MEDICARE AND MEDICAID SERVICES,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 1:23-CV-707

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**UNPUBLISHED ORDER**

Before STEWART, WILLETT, and WILSON, *Circuit Judges*.

PER CURIAM:

IT IS ORDERED that Appellants' motion to expedite the appeal is GRANTED.

Case: 25-50661 Document: 24-1 Page: 1 Date Filed: 08/19/2025

***United States Court of Appeals***

FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

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Suite 115  
NEW ORLEANS, LA 70130

August 19, 2025

MEMORANDUM TO COUNSEL OR PARTIES LISTED BELOW:

No. 25-50661 Natl Infusion Center v. Kennedy  
USDC No. 1:23-CV-707

Enclosed is an order entered in this case.

Sincerely,

LYLE W. CAYCE, Clerk



By: \_\_\_\_\_  
Casey A. Sullivan, Deputy Clerk  
504-310-7642

**P.S. To All Counsel:** An expedited briefing schedule will issue under separate cover. Paper copies of all briefs will be due immediately after electronic filing.

Mr. Maxwell A. Baldi  
Mr. Timothy A. Cleveland  
Mr. Philip Devlin  
Mr. John Patrick Elwood  
Mr. Michael Strauss Kolber  
Mr. Stephen Michael Pezzi  
Ms. Allissa Aileen Rose Pollard