

# **EXHIBIT B**

**United States Court of Appeals**  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

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**No. 23-5200**

**September Term, 2024**

FILED ON: DECEMBER 17, 2024

VANDA PHARMACEUTICALS, INC.,  
APPELLANT

v.

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

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Appeal from the United States District Court  
for the District of Columbia  
(No. 1:22-cv-01432)

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Before: KATSAS and CHILDS, *Circuit Judges*, and EDWARDS, *Senior Circuit Judge*

**J U D G M E N T**

This cause came 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 be affirmed, in accordance with the opinion of the court filed herein this date.

**Per Curiam**

**FOR THE COURT:**  
Mark J. Langer, Clerk

BY: /s/

Daniel J. Reidy  
Deputy Clerk

Date: December 17, 2024

Opinion for the court filed by Senior Circuit Judge Edwards.