

# APPENDIX B

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UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

MAR 22 2018

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

PHILIP BOBBITT, individually and on  
behalf of all others similarly situated; et al.,

Plaintiffs,

and

LANCE LABER,

Intervenor-Plaintiff-  
Appellant,

v.

MILBERG LLP; et al.,

Defendants-Appellees.

No. 13-15812

D.C. No. 4:09-cv-00629-FRZ  
District of Arizona,  
Tucson

ORDER

Before: THOMAS, Chief Judge, OWENS, Circuit Judge, and BATTAGLIA,\*  
District Judge.

The panel has voted to deny the petition for panel rehearing. Chief Judge Thomas and Judge Owens voted to deny the petition for rehearing en banc, and Judge Battaglia so recommends.

The full court has been advised of the suggestion for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R.

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\* The Honorable Anthony J. Battaglia, United States District Judge for the Southern District of California, sitting by designation.

App. P. 35.

The petition for panel rehearing and the petition for rehearing en banc are therefore DENIED.