IN THE

Supreme Court of the United States

 $\begin{array}{c} \text{Emulex Corporation, et al.,} \\ \text{\it Petitioners,} \\ \text{\it v.} \end{array}$

GARY VARJABEDIAN AND JERRY MUTZA,

Respondents.

ON PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

BRIEF OF THE SECURITIES INDUSTRY AND FINANCIAL MARKETS ASSOCIATION AS *AMICUS CURIAE* IN SUPPORT OF THE PETITION FOR WRIT OF CERTIORARI

CERTIFICATE OF COMPLIANCE

As required by Supreme Court Rule 33.1(h), I certify that the document contains 5,809 words, excluding the parts of the document that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 13, 2018.

Christopher R. Dorsey

Wilson-Epes Printing Co., Inc.