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Syllabus

EMULEX CORP. ET AL. *v.* VARJABEDIAN ET AL.ON CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE NINTH CIRCUIT

No. 18–459. Argued April 15, 2019—Decided April 23, 2019
Certiorari dismissed. Reported below: 888 F. 3d 399.

Gregory G. Garre argued the cause for petitioners. With him on the briefs were *Benjamin W. Snyder*, *Shay Dvoretzky*, and *Jeffrey R. Johnson*.

Morgan L. Ratner argued the cause for the United States as *amicus curiae* urging reversal. With her on the brief were *Solicitor General Francisco*, *Deputy Solicitor General Stewart*, *Robert B. Stebbins*, *Michael A. Conley*, *David D. Lisitza*, and *Lisa K. Helvin*.

Daniel L. Geysler argued the cause for respondents. With him on the brief were *Miles D. Schreiner* and *Benjamin Heikali*.*

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

It is so ordered.

*Briefs of *amici curiae* urging reversal were filed for the Chamber of Commerce of the United States of America et al. by *George T. Conway III* and *Daryl Joseffer*; for Former Commissioners of the Securities and Exchange Commission by *Jonathan L. Marcus* and *Michael A. McIntosh*; for the Securities Industry and Financial Markets Association by *William M. Regan*, *Marc J. Gottridge*, *Allison M. Wuertz*, and *Kevin Carroll*; and for the Washington Legal Foundation by *Lyle Roberts*, *George E. Anhang*, *Cory L. Andrews*, and *Richard A. Samp*.

Briefs of *amici curiae* urging affirmance were filed for Institutional Investors by *Kevin K. Russell*, *Charles H. Davis*, *Erica Oleszczuk Evans*, *Cheryl George*, *Jay Eisenhofer*, *Carol V. Gilden*, *Jeremy A. Lieberman*, and *James W. Johnson*; for Legal Scholars by *Edward Labaton*, *Marc I. Gross*, *Darren Check*, and *Darren J. Robbins*; and for the North American Securities Administrators Association, Inc., by *Ruthanne M. Deutsch* and *Hyland Hunt*.

Alan E. Golomb filed a brief for Phillip Goldstein as *amicus curiae*.