

FILED

UNITED STATES COURT OF APPEALS

SEP 11 2017

FOR THE NINTH CIRCUIT

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

FRANK VARELA, on behalf of himself
and all other similarly situated,

Plaintiff-Appellee,

v.

LAMPS PLUS, INC.; et al.,

Defendants-Appellants.

No. 16-56085

D.C. No.

5:16-cv-00577-DMG-KS

Central District of California,

Riverside

ORDER

Before: REINHARDT, FERNANDEZ, and WARDLAW, Circuit Judges.

The panel has voted unanimously to deny the petition for rehearing. Judge Reinhardt and Judge Wardlaw voted to deny the petition for rehearing en banc, and Judge Fernandez so recommended.

The full court was 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. App. P. 35.

The petition for rehearing and the suggestion for rehearing en banc are **DENIED**. No further petitions for panel or en banc rehearing will be entertained.