

FILED

UNITED STATES COURT OF APPEALS

MAY 26 2016

FOR THE NINTH CIRCUIT

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

In re: IPHONE 4S CONSUMER
LITIGATION,

No. 14-15487

FRANK M. FAZIO; et al.,

D.C. No. 4:12-cv-01127-CW
Northern District of California,
Oakland

Plaintiffs - Appellants,

ORDER

v.

APPLE, INC., a California Corporation,

Defendant - Appellee.

Before: SILVERMAN and TALLMAN, Circuit Judges and LASNIK,* Senior District Judge.

Judges Tallman and Lasnik have voted to deny the petition for panel rehearing; Judge Silverman has voted to grant the petition for rehearing. Judges Silverman and Tallman have voted to deny the petition for rehearing en banc and Judge Lasnik so recommends.

* The Honorable Robert S. Lasnik, Senior District Judge for the U.S. District Court for the Western District of Washington, sitting by designation.

The full court has been advised of the petition 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 panel rehearing and the petition for rehearing en banc are denied.