

**FILED**

UNITED STATES COURT OF APPEALS

DEC 04 2017

FOR THE NINTH CIRCUIT

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

JOSE JACOBO, individually and on  
behalf of all others similarly situated and  
THERESA METOYER,

Plaintiffs-Appellants,

v.

ROSS STORES, INC., a Delaware  
corporation and DOES, 1-10, inclusive,

Defendants-Appellees.

No. 17-56241

D.C. No.  
2:15-cv-04701-MWF-AGR  
Central District of California,  
Los Angeles

ORDER

Pursuant to the stipulation of the parties (Docket Entry No. 9), this appeal is dismissed without prejudice to reinstatement in the event the United States District Court for the Central District of California denies the parties' request that it retain jurisdiction for purpose of vacating the judgement and enforcing the terms of the proposed settlement agreement.

Appellants must file a motion to reinstate the appeal within 28 days of the district court's denial of the parties' stipulated request that the court retain jurisdiction to enforce the terms of the proposed settlement agreement. Any

opposition by appellee to such a motion to reinstate this appeal shall be limited to an opposition based on timeliness.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT:

By: Kyungah Suk  
Circuit Mediator