

AUG 13 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LIONEL GARCON;
MARIE C. GARCON,

Plaintiffs - Appellants,

v.

UNION PACIFIC RAILROAD
COMPANY; ALBERTO HERNANDEZ,
employee; TODD C. WALTERS,
employee; LUIS DE LA CRUZ, employee,

Defendants - Appellees.

No. 11-17764

D.C. No. 2:10-cv-01006-GMS

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
G. Murray Snow, District Judge, Presiding

Submitted August 11, 2014**
San Francisco, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: SILVERMAN and CLIFTON, Circuit Judges, and WATSON, District Judge.***

For the reasons stated in the district court's order, we **AFFIRM**.

*** The Honorable Derrick Kahala Watson, District Judge for the U.S. District Court for the District of Hawaii, sitting by designation.