

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 26 2018

FOR THE NINTH CIRCUIT

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

ALEJANDRO JUAREZ; et al.,

No. 12-17759

Plaintiffs-Appellants,

D.C. No. 3:09-cv-03495-SC

v.

ORDER*

JANI-KING OF CALIFORNIA, INC., a
Texas corporation; et al.,

Defendants-Appellees.

Appeal from the United States District Court
for the Northern District of California
Samuel Conti, District Judge, Presiding

Submitted and Submission Deferred February 12, 2015**
Resubmitted June 26, 2018
San Francisco, California

Before: TASHIMA, McKEOWN, and CLIFTON, Circuit Judges.

This case is resubmitted for decision and remanded for further proceedings
in the district court in light of the California Supreme Court's decision in *Dynamex
Operations West, Inc. v. Superior Court*, 4 Cal. 5th 903 (2018).

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

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

In addition, appellants' motions to take judicial notice, dkt #14 and dkt #15, and appellees' motion to take judicial notice, dkt #63, are DENIED as MOOT.