

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

FEDERAL TRADE  
COMMISSION,  
*Plaintiff-Appellee,*

v.

AT&T MOBILITY LLC, a  
limited liability company,  
*Defendant-Appellant.*

No. 15-16585

D.C. No.  
3:14-cv-04785-EMC

ORDER

Filed May 9, 2017

---

**ORDER**

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3. The three-judge panel disposition in this case shall not be cited as precedent by or to any court of the Ninth Circuit.