

FILED

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

APR 21 2011

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

MDY INDUSTRIES, LLC,

Plaintiff-counter-defendant -  
Appellant,

v.

BLIZZARD ENTERTAINMENT, INC.  
and VIVENDI GAMES, INC.,

Defendants-third-party-  
plaintiffs - Appellees,

v.

MICHAEL DONNELLY,

Third-party-defendant -  
Appellant.

No. 09-15932

D.C. No. 2:06-cv-02555-DGC  
District of Arizona,  
Phoenix

ORDER

MDY INDUSTRIES, LLC,

Plaintiff-counter-defendant -  
Appellee,

v.

BLIZZARD ENTERTAINMENT, INC.  
and VIVENDI GAMES, INC.,

Defendants-third-party-  
plaintiffs - Appellants,

No. 09-16044

D.C. No. 2:06-cv-02555-DGC  
District of Arizona,  
Phoenix

v.

MICHAEL DONNELLY,

Third-party-defendant -  
Appellee.

Before: CANBY, CALLAHAN, and IKUTA, Circuit Judges.

Appellants' unopposed motion to withdraw appellants' petition for en banc rehearing is GRANTED.