

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

SHAWN SAMSON; JACK KASHANI, <i>Plaintiffs-Appellants,</i> v. NAMA HOLDINGS, LLC, <i>Defendant-Appellee.</i>

No. 09-55835
D.C. No.
2:09-cv-01433-
MMM-PJW

SHAWN SAMSON; JACK KASHANI, <i>Plaintiffs-Appellants,</i> v. NAMA HOLDINGS, LLC, <i>Defendant-Appellee.</i>

No. 09-56394
D.C. No.
2:09-cv-01433-
MMM-PJW
ORDER

Appeal from the United States District Court
for the Central District of California
Margaret M. Morrow, District Judge, Presiding

Submitted December 6, 2010*
Pasadena, California

Filed December 15, 2010

Before: Stephen S. Trott and Kim McLane Wardlaw,
Circuit Judges, and Rudi M. Brewster,
Senior District Judge.**

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

**The Honorable Rudi M. Brewster, Senior United States District Judge for the Southern District of California, sitting by designation.

COUNSEL

Roger J. Magnuson, Kent J. Schmidt, Dorsey & Whitney LLP, Irvine, CA; Kathleen M. Sullivan, Quinn Emanuel Urquhart Oliver & Hedges LLP, New York, NY; Richard A. Schirtzer, Susan R. Estrich, Quinn Emanuel Urquhart Oliver & Hedges LLP, Los Angeles, California, for Shawn Samson and Jack Kashani.

Howard J. Rubinroit, Ronald C. Cohen, James M. Harris, Sidley Austin LLP, Los Angeles, California, for NAMA Holdings, LLC.

ORDER

As to Appeal No. 09-55835, we affirm for the reasons stated by the district court in its May 20, 2009 Order Denying Plaintiffs' Motion to Compel Arbitration. Appeal No. 09-56394, challenging the district court's award of prevailing party attorneys' fees to Defendant, is therefore moot.

APPEAL NO. 09-55835: AFFIRMED.

APPEAL NO. 09-56394: MOOT.

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