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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>KANTI GALA, an individual; et al.,</p> <p style="text-align: center;">Plaintiffs-counter-defendants</p> <p>- Appellants,</p> <p style="text-align: center;">v.</p> <p>WILLIAM B. BRITT, an individual; et al.,</p> <p style="text-align: center;">Defendants-counter-claimants</p> <p>- Appellees.</p>

No. 11-15111

D.C. No. 2:10-cv-00079-RLH-RJJ

MEMORANDUM*

Appeal from the United States District Court
for the District of Nevada
Roger L. Hunt, Senior District Judge, Presiding

Argued and Submitted March 16, 2012
San Francisco, California

Before: WALLACE and BEA, Circuit Judges, and BENNETT, District Judge.**

The district court’s judgment is VACATED. The case is REMANDED to the district court to consider whether subject matter jurisdiction exists in this

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

** The Honorable Mark W. Bennett, District Judge for the U.S. District Court for Northern Iowa, sitting by designation.

matter. 28 U.S.C. § 1332; *Johnson v. Columbia Prop. Anchorage, LP*, 437 F.3d 894, 899 (9th Cir. 2006).