

FILED

JUL 23 2019

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BRIAN NEWTON, an individual,

Plaintiff-Appellant,

v.

PARKER DRILLING MANAGEMENT
SERVICES, LTD., Erroneously Sued As
Parker Drilling Management Services,
Inc.,

Defendant-Appellee,

and

PARKER DRILLING MANAGEMENT
SERVICES, INC., a Nevada Corporation,

Defendant.

No. 15-56352

D.C. No.

2:15-cv-02517-RGK-AGR

ORDER*

On Remand from the United States Supreme Court

Before: PAEZ, BERZON, and CHRISTEN, Circuit Judges.

Brian Newton sued his former employer, Parker Drilling, in California state court for wage and hour violations under California law. Parker removed the case

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

to federal district court and moved for judgment on the pleadings. The district court granted Parker’s motion, concluding that under the Outer Continental Shelf Lands Act, 43 U.S.C. §§ 1331–1356b (“OCSLA”), the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et. seq.*, is a comprehensive statutory scheme that leaves no room for state law to address wage and hour grievances. Newton appealed, and we vacated and remanded. *Newton v. Parker Drilling Mgmt. Servs.*, 881 F.3d 1078, 1081–82 (9th Cir. 2018). Parker petitioned for writ of certiorari, which the Supreme Court granted. *Parker Drilling Mgmt. Servs. v. Newton*, 139 S. Ct. 914 (2019).

The Supreme Court’s opinion issued on June 10, 2019. *Parker Drilling Mgmt. Servs. v. Newton*, 139 S. Ct. 1881 (2019). In accordance with the Court’s opinion, we affirm the district court’s order dismissing Newton’s California law minimum wage and overtime claims. Because our opinion did not analyze Newton’s other state-law claims and held that Newton should be given leave to amend his complaint, the Supreme Court vacated and remanded the case to us. We, in turn, **VACATE** and **REMAND** to the district court for further proceedings consistent with the Court’s opinion.