

FOR PUBLICATION

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

CHRISTOPHER BATTERTON,
Plaintiff-Appellee,

v.

DUTRA GROUP,
Defendant-Appellant.

No. 15-56775

D.C. No.
2:14-cv-07667-PJW

ORDER

On Remand from the United States Supreme Court

Filed August 12, 2019

Before: Sidney R. Thomas, Chief Judge, and Andrew J.
Kleinfeld and Jacqueline H. Nguyen, Circuit Judges.

ORDER

In light of the Supreme Court's decision in *The Dutra Grp. v. Batterton*, 139 S. Ct. 2275 (2019), the opinion of this Court dated January 23, 2018, 880 F.3d 1089, is VACATED and judgment is entered REVERSING the district court's order denying Dutra's motion to strike the prayer for punitive damages. We remand this case to the district court for further proceedings consistent with the Supreme Court's opinion.

REVERSED and REMANDED.