

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAY 31 2019

FOR THE NINTH CIRCUIT

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

FRANK VARELA, on behalf of himself and  
all other similarly situated,

Plaintiff-Appellee,

v.

LAMPS PLUS, INC.; LAMPS PLUS  
CENTENNIAL, INC.; LAMPS PLUS  
HOLDINGS, INC.; DOES, 1 through 10,  
inclusive,

Defendants-Appellants.

No. 16-56085

D.C. No.

5:16-cv-00577-DMG-KS

ORDER\*

On Remand from the United States Supreme Court

Before: FERNANDEZ and WARDLAW, Circuit Judges.

In light of the Supreme Court's decision in *Lamps Plus, Inc. v. Varela*, No. 17-988, 2019 WL 1780275 (U.S. Apr. 24, 2019), the memorandum disposition of this Court dated August 3, 2017, is **VACATED**, and judgment is entered **REVERSING** the district court's judgment. We remand this case to the district court for further proceedings consistent with the Supreme Court's opinion.

**REVERSED and REMANDED.**

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