

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUN 28 2018

FOR THE NINTH CIRCUIT

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

NORTH COUNTY COMMUNICATIONS
CORPORATION, a California corporation,

Plaintiff-counter-
defendant-Appellant,

v.

SPRINT COMMUNICATIONS
COMPANY, L.P., a Delaware limited
partnership,

Defendant-counter-claimant-
Appellee.

No. 17-56438

D.C. No.
3:09-cv-02685-CAB-JLB

MEMORANDUM*

Appeal from the United States District Court
for the Southern District of California
Cathy Ann Bencivengo, District Judge, Presiding

Submitted June 4, 2018**
San Francisco, California

Before: CLIFTON and FRIEDLAND, Circuit Judges, and RICE,*** Chief District
Judge.

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

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

*** The Honorable Thomas O. Rice, Chief United States District Judge
for the Eastern District of Washington, sitting by designation.

We **AFFIRM** for the reasons given by the district court.