

FILED

UNITED STATES COURT OF APPEALS

DEC 16 2015

FOR THE NINTH CIRCUIT

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

EDWARD C. O'BANNON, Jr., On Behalf
of Himself and All Others Similarly
Situated,

Plaintiff - Appellee,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, AKA The NCAA,

Defendant - Appellant,

And

ELECTRONIC ARTS, INC. And
COLLEGIATE LICENSING COMPANY,
AKA CLC,

Defendants.

No. 14-16601
14-17068

D.C. No. 4:09-cv-03329-CW
Northern District of California,
Oakland

ORDER

Before: THOMAS, Chief Judge, BYBEE, Circuit Judge and QUIST,* Senior
District Judge.

Chief Judge Thomas voted to grant the appellees' petition for rehearing en
banc. Judge Bybee voted to deny the appellees' petition for rehearing en banc, and
Judge Quist recommended denying the petition for rehearing en banc.

* The Honorable Gordon J. Quist, Senior District Judge for the U.S.
District Court for the Western District of Michigan, sitting by designation.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.

P. 35.

Appellees' petition for rehearing en banc filed October 14, 2015, is
DENIED.