

DEC 11 2009

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

MIKE M. MADANI; et al.,

Plaintiffs - Appellants,

v.

SHELL OIL COMPANY; et al.,

Defendants - Appellees.

No. 08-56332

D.C. No. 2:08-cv-01283-GHK-
JWJ

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
George H. King, District Judge, Presiding

Submitted December 9, 2009**
Pasadena, California

Before: THOMPSON and SILVERMAN, Circuit Judges, and BOLTON,***
District Judge.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

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

*** The Honorable Susan R. Bolton, United States District Judge for the District of Arizona, sitting by designation.

Plaintiffs appeal the district court's dismissal of their antitrust action as barred by the statute of limitations. We have jurisdiction pursuant to 28 U.S.C. § 1291, review de novo, *Williams v. Boeing Co.*, 517 F.3d 1120, 1135 (9th Cir. 2008), and affirm.

The district court correctly ruled that the limitations period for this class action was not tolled by a prior class action. *Robbin v. Fluor Corp.*, 835 F.2d 213, 214 (9th Cir. 1987). Nor does *Catholic Soc. Servs., Inc. v. INS*, 232 F.3d 1139 (9th Cir. 2002) (en banc), compel a different result. None of the peculiar reasons justifying tolling in that case is present in this case. *Id.* at 1147-49.

AFFIRMED.