

APR 27 2011

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

CONTEST PROMOTIONS, LLC,

Plaintiff - Appellee,

v.

CITY OF SAN FRANCISCO; COUNTY
OF SAN FRANCISCO,

Defendant - Appellant.

No. 10-17788

D.C. No. 3:09-cv-04434-SI

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Susan Illston, District Judge, Presiding

Submitted April 20, 2011**

Before: RYMER, THOMAS, and PAEZ, Circuit Judges.

The City and County of San Francisco appeals the district court's order granting preliminary injunctive relief in favor of Contest Promotions, LLC. We have jurisdiction under 28 U.S.C. § 1292(a)(1), and we affirm.

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

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

Our sole inquiry is whether the district court abused its discretion in granting preliminary injunctive relief. *The Lands Council v. McNair*, 537 F.3d 981, 986 (9th Cir. 2008); see *Winter v. Natural Resources Defense Council*, 129 S. Ct. 365, 374 (2008) (listing factors for district court to consider); *Sports Form, Inc. v. United Press Int'l.*, 686 F.2d 750, 752–53 (9th Cir. 1982) (explaining limited scope of review). We conclude the district court did not abuse its discretion. Accordingly, we affirm the district court's order granting injunctive relief in favor of Contest Promotions, LLC.

AFFIRMED.