

JAN 17 2012

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JENNIFER LASTER, et. al.,

Plaintiffs - Appellants,

and

Vincent Concepcion, et. al,

Plaintiffs,

v.

T-MOBILE USA, INC., et. al.,

Defendants - Appellees.

No. 10-55070

D.C. No. 3:05-cv-01167 DMS
(WVG)

ORDER*

Appeal from the United States District Court
for the Southern District of California
Dana M. Sabraw, District Judge, Presiding

Argued and Submitted January 9, 2012
Pasadena, California

Before: REINHARDT and W. FLETCHER, Circuit Judges, and BREYER,
Senior District Judge.**

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

** The Honorable Charles R. Breyer, Senior United States District Judge for the Northern District of California, sitting by designation.

The district court order granting summary judgment is VACATED and the case is REMANDED to the district court for reconsideration in light of *AT&T Mobility LLC v. Concepcion*, 131 S. Ct. 1740 (2011).