

MAY 30 2014

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>FERIAL KAREN ARDALAN,</p> <p style="text-align: center;">Plaintiff - Appellant,</p> <p style="text-align: center;">v.</p> <p>MACY’S WEST; MARISELA ZAMBRANO,</p> <p style="text-align: center;">Defendants - Appellees.</p>
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No. 12-16581

D.C. No. 5:09-cv-04894-JW

MEMORANDUM*

Appeal from the United States District Court
for the Northern District of California
Edward J. Davila, District Judge, Presiding

Submitted May 13, 2014**

Before: CLIFTON, BEA, and WATFORD, Circuit Judges.

Ferial Karen Ardalan appeals pro se from the district court’s order denying her petition to vacate an arbitration award in her employment action alleging wrongful termination, sexual harassment, and discrimination claims. We have

* 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), and, therefore, denies Ardalan’s request for oral argument, set forth in her opening brief.

jurisdiction under 28 U.S.C. § 1291. We review de novo, *Collins v. D.R. Horton, Inc.*, 505 F.3d 874, 879 (9th Cir. 2007), and we affirm.

The district court properly denied Ardalan’s petition because Ardalan failed to establish any of the limited grounds on which an arbitration award can be vacated under section 10 of the Federal Arbitration Act. *See id.* (setting forth narrow grounds on which courts may vacate an arbitration award, limited to fraud in the procurement of the award, bias or corruption on the part of the arbitrator, misconduct in refusing to hear evidence, abuse of power, and manifest disregard of the law, and explaining that “mere allegations of error are insufficient” (citation and internal quotation marks omitted)); *see also Stolt-Nielsen S.A. v. AnimalFeeds Int’l Corp.*, 559 U.S. 662, 671 (2010) (party seeking to vacate an arbitral award “must clear a high hurdle,” which is not satisfied even by a showing that the arbitrator committed “a serious error”).

Ardalan’s contentions that the district court ignored material evidence and relied on distorted facts, and that defendants omitted or misreported material information and engaged in other improprieties, are rejected as unpersuasive.

Ardalan’s request for an order of investigation and inquiry, set forth in her opening brief, is denied.

AFFIRMED.