

**FILED**

SEP 04 2015

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

**NOT FOR PUBLICATION**

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BASALITE CONCRETE PRODUCTS,  
LLC; PACIFIC COAST BUILDING  
PRODUCTS, INC.,

Plaintiffs - Appellants,

v.

NATIONAL UNION FIRE INSURANCE  
COMPANY OF PITTSBURGH, PA;  
CHARTIS SPECIALTY INSURANCE  
COMPANY, formerly known as  
AMERICAN INTERNATIONAL  
SPECIALTY LINES INSURANCE  
COMPANY

Defendants - Appellees.

No. 13-16223

D.C. No. 2:12-cv-02814-WBS-  
EFB

ORDER\*

Appeal from the United States District Court  
for the Eastern District of California  
William B. Shubb, District Judge, Presiding

Argued and Submitted August 14, 2015  
San Francisco, California

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

Before: TALLMAN and CALLAHAN, Circuit Judges and ROSENTHAL,\*\*  
District Judge.

We **AFFIRM** the district court and adopt as the basis for our decision the well-reasoned Memorandum and Order granting the motion to dismiss.

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\*\* The Honorable Lee H. Rosenthal, District Judge for the U.S. District Court for the Southern District of Texas, sitting by designation.