

FILED

FEB 27 2017

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA, et al

Plaintiffs,

and

UNITED STATES ex rel DORIS
MODGLIN and RUSS MILKO

Plaintiffs-Appellants,

v.

DJO GLOBAL, INC.; DJO FINANCE
LLC; ORTHOFIX, INC.,

Defendants,

and

DJO GLOBAL INC., DJO LLC, DJO
FINANCE LLC, BIOMET, INC., EBI, LP
and EBI, LLC,

Defendants-Appellees.

No. 15-55840

D.C. No.

2:12-cv-07152-MMM-JCG

MEMORANDUM*

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

Appeal from the United States District Court
for the Central District of California
Margaret M. Morrow, District Judge, Presiding

Argued and Submitted February 9, 2017
Pasadena, California

Before: THOMAS, Chief Judge, NGUYEN, Circuit Judge, and AMON,** District Judge.

Relators Doris Modglin and Russ Milko appeal the district court's grant of Defendant's motions to dismiss. For reasons stated in the district court's two well-reasoned opinions, dated September 2, 2014, and May 8, 2015, we affirm.

AFFIRMED.

** The Honorable Carol Bagley Amon, United States District Judge for the Eastern District of New York, sitting by designation.