

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

ALEXIS DEGELMANN and JOSEPH
LIN, on behalf of themselves and
all those similarly situated,
Plaintiffs-Appellants,
v.
ADVANCED MEDICAL OPTICS INC., a
Delaware corporation,
Defendant-Appellee.

No. 10-15222
D.C. No.
4:07-cv-03107-PJH
Northern District of
California,
Oakland
ORDER

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

Argued and Submitted
April 11, 2011—San Francisco, California

Filed October 30, 2012

Before: John T. Noonan and N. Randy Smith,
Circuit Judges, and Raner C. Collins, District Judge.*

COUNSEL

Jahan C. Sagafi, San Francisco, California, for the plaintiffs-appellants.

Ben D. Whitwell, San Francisco, California, for the defendant-appellee.

*The Honorable Raner C. Collins, District Judge for the U.S. District Court for Arizona, sitting by designation.

ORDER

Pursuant to Fed. R. App. P. 42(b), this appeal is hereby **DISMISSED**. Each party shall pay its own costs and fees of this appeal. A certified copy of this order served on the district court shall constitute the mandate. The prior panel opinion is **VACATED**.

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