

FOR PUBLICATION

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

CGI TECHNOLOGIES AND SOLUTIONS
INC., in its capacity as sponsor and
fiduciary for CGI Technologies and
Solutions, Inc. Welfare Benefit Plan,
Plaintiff-Appellee,

v.

RHONDA ROSE; NELSON LANGER
ENGLE PLLC,
Defendants-Appellants.

No. 11-35127

D.C. No.
2:10-cv-00298-
RSM

CGI TECHNOLOGIES AND SOLUTIONS
INC., in its capacity as sponsor and
fiduciary for CGI Technologies and
Solutions, Inc. Welfare Benefit Plan,
Plaintiff-Appellant,

v.

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ENGLE PLLC,
Defendants-Appellees.

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ORDER

On Remand From The United States Supreme Court

Filed August 16, 2013

Before: Mary M. Schroeder and Ronald M. Gould, Circuit
Judges, and Ralph R. Beistline, Chief District Judge.*

ORDER

We vacate the district court's order and remand this case to the district court for further proceedings consistent with *US Airways, Inc. v. McCutchen*, 133 S. Ct. 1537, 569 U.S. ____ (2013).

* The Honorable Ralph R. Beistline, Chief District Judge for the U.S. District Court for the District of Alaska, sitting by designation.