

FOR PUBLICATION

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

SAM FRANCIS FOUNDATION; ESTATE
OF ROBERT GRAHAM; CHUCK
CLOSE; LADDIE JOHN DILL,
Plaintiffs-Appellants,

v.

CHRISTIE'S, INC., a New York
corporation,
Defendant-Appellee.

No. 12-56067

D.C. No.
2:11-cv-08605-
MWF-FFM

SAM FRANCIS FOUNDATION; ESTATE
OF ROBERT GRAHAM; CHUCK
CLOSE; LADDIE JOHN DILL,
Plaintiffs-Appellants,

v.

EBAY, INC., a Delaware corporation,
Defendant-Appellee.

No. 12-56068

D.C. No.
2:11-cv-08622-
MWF-PLA

ESTATE OF ROBERT GRAHAM;
CHUCK CLOSE; LADDIE JOHN DILL,
individually and on behalf of all
others similarly situated,
Plaintiffs-Appellants,

v.

SOTHEBY'S, INC., a New York
corporation,
Defendant-Appellee.

No. 12-56077

D.C. No.
2:11-cv-08604-
MWF-FFM

ORDER

Filed October 30, 2014

ORDER

THOMAS, Circuit Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.

Judges Wardlaw and Nguyen did not participate in the deliberations or vote in this case.