

FILED

AUG 30 2021

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

K. C., a minor by and through his
Guardian ad Litem Dana K. Dunmore,

Plaintiff-Appellee,

v.

AHMAD KHALIFA, M.D.,

Defendant-Appellant,

v.

CALIFORNIA HOSPITAL MEDICAL
CENTER; et al.,

Defendants-Appellees,

v.

UNITED STATES OF AMERICA,

Movant-Appellee.

No. 18-56520

D.C. No.

2:18-cv-06619-RGK-AS

ORDER

Appeal from the United States District Court
for the Central District of California
R. Gary Klausner, District Judge, Presiding

Argued and Submitted March 6, 2020
Pasadena, California

Before: KLEINFELD, NGUYEN, and BADE, Circuit Judges.*

We are advised by counsel that this case has settled in state court and the claims against Dr. Khalifa have been dismissed with prejudice, so Dr. Khalifa's appeal is now moot. Accordingly, the appeal is dismissed, and the memorandum disposition filed August 10, 2020, is vacated as to 18-56520 only. Each party shall bear its own costs, unless counsel advises of terms to the contrary in the settlement agreement.

* The original panel, consisting of Judge Kleinfeld, Judge Nguyen, and Judge Pauley, heard oral argument on March 6, 2020. Judge Pauley died on July 6, 2021, while the case was pending, and Judge Bade was drawn to replace him.