

FILED

APR 13 2022

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

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

BEYOND BLOND PRODUCTIONS,
LLC, a California limited liability
company,

Plaintiff-counter-
defendant-Appellee,

v.

COMEDYMX, LLC, a Delaware limited
liability company,

Defendant-counter-claim-
3rd-party-plaintiff-
Appellant,

and

EDWARD HELDMAN III, an individual;
COMEDYMX, INC., a Nevada
corporation,

Defendants-counter-claim-
3rd-party-plaintiffs,

v.

MICHELLE JUSTICE,

No. 21-55990

D.C. No.
2:20-cv-05581-DSF-GJS

MEMORANDUM*

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

Third-party-defendant.

Appeal from the United States District Court
for the Central District of California
Dale S. Fischer, District Judge, Presiding

Argued and Submitted April 6, 2022
Pasadena, California

Before: SCHROEDER and GRABER, Circuit Judges, and McNAMEE,** District Judge.

CMX appeals the district court's order denying its motion for a preliminary injunction and request for reconsideration of the district court's earlier order granting a preliminary injunction in favor of Appellee Beyond Blond. We have jurisdiction to review both orders because they are inextricably intertwined. *See Sierra On-Line, Inc. v. Phoenix Software, Inc.*, 739 F.2d 1415, 1418 n.4 (9th Cir. 1984).

We affirm. The district court correctly ruled that CMX does not have any likelihood of success on the merits, and we agree with the reasons given by the district court.

All pending motions are DENIED.

AFFIRMED.

** The Honorable Stephen M. McNamee, United States District Judge for the District of Arizona, sitting by designation.