

FILED

UNITED STATES COURT OF APPEALS

OCT 30 2018

FOR THE NINTH CIRCUIT

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

JORDAN MARKS, individually and on
behalf of all others similarly situated,

Plaintiff-Appellant,

v.

CRUNCH SAN DIEGO, LLC,

Defendant-Appellee.

No. 14-56834

D.C. No.

3:14-cv-00348-BAS-BLM

Southern District of California,
San Diego

ORDER

Before: CALLAHAN, BEA, and IKUTA, Circuit Judges.

The panel has voted to deny Appellee's Petition for Rehearing and Petition for Rehearing En Banc.

The full court has been advised of the Petition for Rehearing En Banc and no Judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.

P. 35.

The Petition for Rehearing and the Petition for Rehearing En Banc are
DENIED.