

FILED

UNITED STATES COURT OF APPEALS

MAR 05 2018

FOR THE NINTH CIRCUIT

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

ANTHONY J. JOHNSON,

Plaintiff-counter-
defendant-Appellant,

v.

STORIX, INC., a California Corporation,

Defendant-counter-claimant-
Appellee.

No. 16-55439

D.C. No.

3:14-cv-01873-H-BLM

Southern District of California,
San Diego

ORDER

Before: D.W. NELSON and REINHARDT, Circuit Judges, and STEEH,* District Judge.

The members of the panel that decided this case voted unanimously to deny appellant's and appellee's petitions for rehearing. Judge Reinhardt voted to deny appellant's petition for rehearing en banc. Judge Nelson and Judge Steeh recommended denial of the petition for rehearing en banc.

The full court has been advised of the petition for rehearing en banc and no active judge has requested a vote on whether to rehear the matter en banc. (Fed.R. App. P. 35.)

* The Honorable George Caram Steeh III, United States District Judge for the Eastern District of Michigan, sitting by designation.

Appellee's petition for rehearing is **DENIED**. Appellant's petition for rehearing and petition for rehearing en banc are **DENIED**.

SO ORDERED.