

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 15 2020

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

OLEAN WHOLESALE GROCERY
COOPERATIVE, INC., BEVERLY
YOUNGBLOOD, PACIFIC
GROSERVICE, INC., DBA Pitco Foods,
CAPITOL HILL SUPERMARKET,
LOUISE ANN DAVIS MATTHEWS,
JAMES WALNUM, COLIN MOORE,
JENNIFER A. NELSON, ELIZABETH
DAVIS-BERG, LAURA CHILDS; et al.,

Plaintiffs-Appellees,

and

JESSICA DECKER, JOSEPH A.
LANGSTON, SANDRA POWERS,
GRAND SUPERCENTER, INC., THE
CHEROKEE NATION, US FOODS, INC.,
SYSCO CORPORATION, GLADYS, LLC,
SPARTANNASH COMPANY, BRYAN
ANTHONY REO,

Plaintiffs,

v.

BUMBLE BEE FOODS LLC; et al.,

Defendants-Appellants,

and

KING OSCAR, INC.; et al.,

Defendants.

No. 19-56514

D.C. No.

3:15-md-02670-JLS-MDD

Southern District of California,
San Diego

ORDER

Before: GRABER, WARDLAW, and R. NELSON, Circuit Judges.

Appellants' emergency motion (Docket Entry No. 26) to stay proceedings in the class cases in the district court pending appeal is denied. *See Nken v. Holder*, 556 U.S. 418, 426 (2009).

All other pending motions will be addressed by separate order. The previously established briefing schedule remains in effect.

The Clerk shall place this case on the next available calendar upon the completion of briefing. *See* 9th Cir. Gen. Order 3.3(f).

R. NELSON, Circuit Judge, concurring in part and dissenting in part:

I would vote to grant appellants' motion to stay proceedings in the class cases in the district court. I concur in the panel's decision to expedite the appeal.