

## UNITED STATES COURT OF APPEALS

OCT 30 2019

## FOR THE NINTH CIRCUIT

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

NIMESH PATEL, Individually and on  
Behalf of All Others Similarly Situated; et  
al.,

Plaintiffs-Appellees,

v.

FACEBOOK, INC.,

Defendant-Appellant.

No. 18-15982

D.C. No. 3:15-cv-03747-JD  
Northern District of California,  
San Francisco

ORDER

Before: GOULD and IKUTA, Circuit Judges, and PEARSON,\* District Judge.

Appellant's Motion to Stay Issuance of the Mandate Pending a Petition for Writ of Certiorari (Doc. 106) is GRANTED. Pursuant to Fed. R. App. P. 41(d)(2), the mandate in the case is stayed until January 16, 2020, to permit appellant to file a petition for writ of certiorari in the Supreme Court. Should the Supreme Court grant certiorari, the mandate will be stayed pending its disposition of the case. Should the Supreme Court deny certiorari, the mandate will issue immediately. The parties shall advise this court immediately upon the Supreme Court's decision.

---

\* The Honorable Benita Y. Pearson, United States District Judge for the Northern District of Ohio, sitting by designation.