

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

SHUKRI SAKKAB,  
Plaintiff - Appellant,  
vs.  
LUXOTTICA RETAIL NORTH  
AMERICA INC.,  
Defendant - Appellee.

Case No. **13-55184**  
D.C. No. 3:12-cv-00436-GPC-KSC  
Southern District of California, San  
Diego

MICHAEL HOPKINS,  
Plaintiff - Appellant,  
vs.  
BCI COCA-COLA BOTTLING  
COMPANY, OF LOS ANGELES,  
Defendant - Appellee.

Case No. **13-56126**  
D.C. No. 8:13-cv-00103-AG-RNB  
Central District of California,  
Santa Ana

JOSE SIERRA,  
Plaintiff - Appellant,  
vs.  
OAKLEY SALES CORP.,  
Defendant - Appellee.

Case No. **13-55891**  
D.C. No. 8:13-cv-00319-AG-JPR  
Central District of California,  
Santa Ana

**APPELLANTS' CITATION OF SUPPLEMENTAL  
AUTHORITIES [Federal Rules of Appellate Procedure 28(j)]**

BLUMENTHAL, NORDREHAUG & BHOWMIK  
Norman B. Blumenthal (CSB# 068687)  
Kyle R. Nordrehaug (CSB#205975)  
2255 Calle Clara  
La Jolla, CA 92037  
Tel: (858) 551-1223  
Fax: (858) 551-1232  
*Attorneys for Plaintiffs / Appellants*

Pursuant to Federal Rule of Appellate Procedure 28(j), Appellant Shukri Sakkab, Appellant Michael Hopkins, and Appellant Jose Sierra, in their respective appeals which have been consolidated for oral argument, (Collectively “Appellants”) respectfully submit for consideration by this Court in the above-referenced appeal the following Order dated June 1, 2015 (575 U.S.) by the United States Supreme Court issued after briefing concluded. A true and correct copy of the Order is attached hereto as Exhibit #1.

In the Order dated June 1, 2015 (575 U.S.), the United States Supreme Court denied the petition for writ or certiorari in *Bridgestone Retail Operations v. Brown, Milton, et al.*, Case No. 14-790. *Bridgestone* involved the same issue now before this Court. In *Bridgestone*, the petitioner argued that the decision in *Iskanian v. CLS Transportation*, 59 Cal. 4th 348 (June 23, 2014), *cert. denied*, 135 S. Ct. 1155, 190 L. Ed. 2d 911 (2015), was preempted. By Order dated June 1, 2015, the United States Supreme Court denied this petition and refused to grant certiorari as to this issue. (See Order at page 2.)

Respectfully submitted,

Dated: June 1, 2015

BLUMENTHAL, NORDREHAUG & BHOWMIK

By: /s/ Kyle R. Nordrehaug  
Kyle R. Nordrehaug, Esq.  
Attorneys for Appellants

**CERTIFICATE OF COMPLIANCE**

Pursuant to Fed. R. App. P. 28(j), I certify that the body of the above document does not exceed 350 words.

Dated: June 1, 2015      BLUMENTHAL, NORDREHAUG & BHOWMIK

By: /s/ Kyle R. Nordrehaug  
Kyle R. Nordrehaug, Esq.  
Attorneys for Appellants

**CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2015, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

All participants in the case were served with the foregoing documents by the appellate CM/ECF system which provides service of such filing(s) via Notice of Electronic Filing (NEF) to the participants in the case.

DATED this 1<sup>st</sup> day of June, 2015.

By: /s/ Kyle R. Nordrehaug

Kyle R. Nordrehaug, Esq.

Attorneys for Plaintiffs/Appellants

**EXHIBIT #1**

(ORDER LIST: 575 U. S.)

MONDAY, JUNE 1, 2015

**CERTIORARI -- SUMMARY DISPOSITION**

14-238 UNITED STATES, EX REL. SHEA V. CELLCO PARTNERSHIP, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated, and the case is remanded to the United States Court of Appeals for the District of Columbia Circuit for further consideration in light of *Kellogg Brown & Root Services, Inc. v. United States ex rel. Carter*, 575 U. S. \_\_\_\_ (2015).

**ORDERS IN PENDING CASES**

14M119 CARTER, MITCHELL M., ET UX. V. HOUSTON BUSINESS DEVELOPMENT

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

14M120 CHARNOCK, DOUGLAS C. V. VIRGINIA, ET AL.

The motion for leave to proceed as a veteran is denied.

14M121 SCHAFLER, PEPI V. BANK OF AMERICA MERRILL LYNCH

The motion to direct the Clerk to file a petition for a writ of certiorari out of time is denied.

14-1168 SMITH, ROGER L. V. AEGON COMPANIES PENSION PLAN

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

14-8491 WHITE, BRENDA V. SOUTHEAST MI SURGICAL, ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

14-9078 BARRY, MAMADOU V. DIALLO, AISSATO

The motion of petitioner for leave to proceed *in forma*

*pauperis* is denied. Petitioner is allowed until June 25, 2015, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI DENIED**

14-384 DIAZ-BARBA, ALEJANDRO, ET AL. V. KISMET ACQUISITION, LLC  
14-740 MASSI, MATTHEW J. V. UNITED STATES  
14-790 BRIDGESTONE RETAIL OPERATIONS V. BROWN, MILTON, ET AL.  
14-932 FARMINGTON HILLS, MI, ET AL. V. MARSHALL, DAVID, ET UX.  
14-1000 MURPHY, PHILIP A., ET AL. V. VERIZON COMMUNICATIONS, ET AL.  
14-1004 PYSARENKO, VITALII V. CARNIVAL CORP.  
14-1005 SECURITY HEALTH CARE, ET AL. V. BOLER, JOHNNIE  
14-1008 HARDIN, JEFFREY V. OHIO  
14-1028 DUBLE, MICHAEL V. FEDEX GROUND PACKAGE SYSTEM  
14-1040 WATCHTOWER BIBLE & TRACT, ET AL. V. GARCIA PADILLA, GOV. OF PR  
14-1154 UNITED STATES, EX REL. MASTEJ V. HEALTH MGMT. ASSOC., ET AL.  
14-1166 TRAVERS, PATRICIA A. V. CELLCO PARTNERSHIP  
14-1170 GUERRA-DELGADO, ALFREDO, ET AL. V. POPULAR, INC., ET AL.  
14-1178 KAMPS, C. MICHAEL V. BAYLOR UNIVERSITY, ET AL.  
14-1186 SCIENTIFIC PLASTIC PRODUCTS V. BIOTAGE AB  
14-1187 HRALIMA, MAIGA V. BACA, WARDEN  
14-1195 DOWNEY, MELISSA A., ET VIR V. FEDERAL NAT. MORTGAGE ASSOC.  
14-1213 WETHERBE, JAMES C. V. SMITH, BOB, ET AL.  
14-1215 JONES, DENISE V. JONES, ELMER  
14-1228 JACKSON, WILLIAM V. OWENS CORNING/FIBERBOARD  
14-1243 MEINTS, DANIEL V. BEATRICE, NE  
14-1256 KAZZAZ, AHMED S. V. UNITED STATES  
14-1282 BOSHEARS, RAYMOND V. MASSACHUSETTS



14-1283 ADMIRALTY CONDOMINIUM ASSOC. V. DIR., FEMA, NAT'L FLOOD INS.  
14-1303 PARAMOUNT CONTRACTORS, ET AL. V. LOS ANGELES, CA  
14-8011 LESTER, DE V. LONG, WARDEN  
14-8107 CAMILLO-AMISANO, PHILLIP V. UNITED STATES  
14-8204 MANGUM, GARY, ET UX. V. RENTON SCHOOL DISTRICT #403  
14-8381 MODANLO, NADER V. UNITED STATES  
14-8413 SMITH, NARY V. ST. MARTINVILLE, LA  
14-8840 GUARASCIO, JOSEPH M. V. UNITED STATES  
14-9020 WRIGHT, JOEL D. V. JONES, SEC., FL DOC  
14-9047 ZAMORA, JOSE V. FLORIDA  
14-9052 THEMEUS, YVON V. JONES, SEC., FL DOC, ET AL.  
14-9053 ZINK, DAVID S. V. MISSOURI  
14-9067 SALGADO, LUIS A. V. BITER, WARDEN  
14-9071 WEDGEWORTH, JAMES V. KELLEY, DIR., AR DOC  
14-9072 JACOBS, ERIKA V. BIANDO, TRICIA, ET AL.  
14-9074 McELFRESH, RONALD L. V. OHIO  
14-9080 JONES, TROY R. V. WOLFE, WARDEN, ET AL.  
14-9084 McMANUS, KIM V. JUSTICE OF THE PEACE COURT #13  
14-9085 DAWSON, WILLIAM D. V. ABSTON, RHONDA, ET AL.  
14-9088 DOSS, HAROLD D. V. TENNESSEE  
14-9093 BURNS, CLINTON V. FOX, WARDEN, ET AL.  
14-9097 ROBINSON, ARTHUR R. V. BENJAMIN, KEVIN  
14-9098 DINGLE, LAMARR B. V. VIRGINIA  
14-9101 ROBBINS, EDWARD D. V. BOULDER COUNTY, CO, ET AL.  
14-9110 TROY, JOHN V. JONES, SEC., FL DOC, ET AL  
14-9115 WEST, MARQUIS B. V. MAGRUDER, ANDREW M., ET AL.  
14-9117 WILLIAMS, LARRY V. ARTUS, M., ET AL.  
14-9120 PARKER, JACK V. BURT, WARDEN

14-9129 LANZA, ENRICO F. V. DIST. ATT'Y OF DELAWARE CTY.  
14-9131 AVILA, DANIEL V. CALIFORNIA  
14-9134 MURFF, ANTHONY V. CORIZON MEDICAL SERVICES, ET AL.  
14-9136 VALENZUELA, MELINDA G. V. CORIZON HEALTH CARE, ET AL.  
14-9137 LUCAS, DAVID A. V. CALIFORNIA  
14-9141 COAKLEY, JAMES T. V. JONES, SEC., FL DOC, ET AL.  
14-9143 COLLINS, BILLY M. V. TEXAS  
14-9179 DOWNING, BRYAN L. V. FLORIDA  
14-9181 PETERKA, DANIEL J. V. JONES, SEC., FL DOC  
14-9189 PREACELY, RAYMANDA V. DEPT. OF TREASURY  
14-9212 BENEFIELD, KEVIN M. V. CONNECTICUT  
14-9234 CABEZA, ROBERT V. GRIFFIN, SUPT., SULLIVAN  
14-9237 MOELLER, DAVID D. V. GILBERT, MARGARET  
14-9241 FOSTER, JORDY V. FL DOC  
14-9243 DICH, JOHN V. V. JACQUEZ, WARDEN  
14-9257 SALARY, MARK T. V. NUSS, LAWTON R., ET AL.  
14-9279 DAVIS, KENNETH D. V. KEITH, WARDEN  
14-9287 PENA, ROBERT D. V. WASHINGTON  
14-9319 JAMISON, MATTHEW V. SOUTH CAROLINA  
14-9322 KRATOCHVIL, JOHN V. TENNESSEE  
14-9340 JACKSON, JOEY V. DOMZALSKI, MARY  
14-9352 BEARD, MICHAEL W. V. LIZARRAGA, WARDEN  
14-9356 CARRASCOSA, MARIA J. V. ARTHUR, ADMINISTRATOR  
14-9379 HINGLE, DANIELLE V. MISSISSIPPI  
14-9384 GUO, SHI W. V. LYNCH, ATT'Y GEN.  
14-9387 LYON, LeFLORIS V. WISE CARTER CHILD, ET AL.  
14-9398 GIBSON, JOHNNY M. V. PAQUIN, JOHN, ET AL.  
14-9400 HAMPTON, TERENCE V. NEW YORK

14-9403 REECE, CHARLES G. V. DICKENSON, TERRY, ET AL.  
14-9423 JONES, CHARLES E. V. WILSON, WARDEN  
14-9429 HAMMONDS, ANTHONY D. V. BO'S FOOD STORE  
14-9431 HILL, FRANK V. ILLINOIS  
14-9437 BASNIGHT, TYRONE V. UNITED STATES  
14-9493 POWELL, JOEL D. V. UNITED STATES  
14-9494 ONCIU, MOSES V. UNITED STATES  
14-9502 VELAZQUEZ-CORCHADO, BRENDA V. UNITED STATES  
14-9503 WARREN, CHRISTIAN D. V. UNITED STATES  
14-9507 ROBISON, ALLEN M. V. UNITED STATES  
14-9510 ARMSTRONG, JAMES B. V. UNITED STATES  
14-9511 BEJARANO-ORDONEZ, ERIK D. V. UNITED STATES  
14-9512 BAILEY, ROBERT V. UNITED STATES  
14-9514 COX, ANDREW V. UNITED STATES  
14-9520 ALEXANDER, DONALD S. V. UNITED STATES  
14-9522 DUNGY, MONTREAIL D. V. UNITED STATES  
14-9529 DANIEL, MAX V. UNITED STATES  
14-9537 TRUMAN, JEFFREY E. V. UNITED STATES  
14-9538 THOMAS, JODY C. V. UNITED STATES  
14-9546 NAILON, SHAE F. V. UNITED STATES  
14-9547 McMILLIAN, TYRONE V. UNITED STATES  
14-9551 McDUFFIE, HAROLD V. UNITED STATES  
14-9553 WALKER, SAMUEL V. UNITED STATES  
14-9557 BRYANT, EDDIE D. V. UNITED STATES  
14-9558 GALLEGOS-HERNANDEZ, JOSE C. V. UNITED STATES

The petitions for writs of certiorari are denied.

13-1162 PURDUE PHARMA L.P., ET AL. V. UNITED STATES, EX REL. MAY

The motion of The Pharmaceutical Research and Manufacturers

of America, et al. for leave to file a brief as *amici curiae* is granted. The motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

14-631 MANZANO, JUAN V. INDIANA

The petition for a writ of certiorari is denied. Justice Sotomayor dissents.

14-954 ANIMAL CARE TRUST, ET AL. V. UNITED PET SUPPLY, INC.

The motion of International Municipal Lawyers Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of American Society for the Prevention of Cruelty to Animals for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

14-1021 BYARS, DIR., SC DOC, ET AL. V. AIKEN, TYRONE, ET AL.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

14-9089 MARIN, MEL M. V. RICE, CHARLES

14-9144 DIXON, MICHAEL A. V. HART, WARDEN

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

**HABEAS CORPUS DENIED**

14-1334 IN RE SRINIVAS V. VADDE

14-9667 IN RE LLOYD W. SHEPPARD

The petitions for writs of habeas corpus are denied.

14-9683 IN RE EDWARD N. CARLTON

The motion of petitioner for leave to proceed *in forma*

*pauperis* is denied, and the petition for a writ of habeas corpus is dismissed. See Rule 39.8. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U. S. 1 (1992) (*per curiam*).

**MANDAMUS DENIED**

14-9075 IN RE SERGEI PORTNOY

The petition for a writ of mandamus is denied.

14-9126 IN RE ANDREW R. SPENGLER

The petition for a writ of mandamus and/or prohibition is denied.

**REHEARINGS DENIED**

13-10787 HOVARTER, JOHN S. V. CALIFORNIA, ET AL.

14-1026 GOSSAGE, HENRY E. V. OPM, ET AL.

14-7635 GREENFIELD, JOZETTE V. DEUTSCHE BANK AG, ET AL.

14-7765 BURGEST, EARL H. V. CARAWAY, WARDEN

14-8157 MURRAY, JOANNE H. V. MIDDLETON, D. A., ET AL.

14-8234 REED-RAJAPAKSE, SAMANTHA V. MEMPHIS LIGHT, ET AL.

14-8261 LOVE, DONTE D. V. DUCART, WARDEN

14-8340 JONES, ALICIA V. ANDO, SCOTT

14-8370 HUANG, DONGSHENG V. DEPT. OF LABOR, ET AL.

14-8495 SLEDGE, SAMUEL V. ILLINOIS

14-8616 OYELAKIN, MUTIU A. V. RENO, JANET, ET AL.

14-8653 JOHNSON, STEVEN R. V. FARM CREDIT OF FLORIDA, ET AL.

14-8774 ADAMS, JACOB S. V. UNITED STATES

The petitions for rehearing are denied.