

FILED

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

JAN 22 2016

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

U.S. EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION,

Plaintiff - Appellant,

v.

MCLANE COMPANY, INC.,

Defendant - Appellee.

No. 13-15126

D.C. No. 2:12-cv-02469-GMS
District of Arizona,
Phoenix

ORDER

Before: WALLACE, M. SMITH, and WATFORD, Circuit Judges.

Judge Smith and Judge Watford vote to deny the petition for rehearing en banc, and Judge Wallace so recommends. The full court has been advised of the petition for rehearing en banc, and no judge requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The petition for rehearing en banc, filed December 11, 2015, is DENIED.