

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 29 2018

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

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

Plaintiffs-Respondents,

v.

FACEBOOK, INC.,

Defendant-Petitioner.

No. 18-80053

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

ORDER

Before: W. FLETCHER and CALLAHAN, Circuit Judges.

The unopposed motion by the Chamber of Commerce of the United States of America to become amicus curiae (Docket Entry No. 6) is granted. The Clerk shall file the amicus brief at Docket Entry No. 6.

Petitioner's emergency motion to stay the district court proceedings pending consideration of its 23(f) petition and any resulting appeal (Docket Entry No. 16) is granted. *See Hilton v. Braunskill*, 481 U.S. 770, 776 (1987).

The court, in its discretion, grants the petition for permission to appeal the district court's April 16, 2018 order granting class action certification. *See Fed. R. Civ. P. 23(f); Chamberlan v. Ford Motor Co.*, 402 F.3d 952 (9th Cir. 2005).

Within 14 days after the date of this order, petitioner shall perfect the appeal in accordance with Federal Rule of Appellate Procedure 5(d).