

FILED

UNITED STATES COURT OF APPEALS

SEP 13 2016

FOR THE NINTH CIRCUIT

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

SHAHRIAR JABBARI and KAYLEE  
HEFFELFINGER, on behalf of themselves  
and all others similarly situated,

Plaintiffs - Appellants,

v.

WELLS FARGO & COMPANY and  
WELLS FARGO BANK, N.A.,

Defendants - Appellees.

No. 15-17099

D.C. No. 3:15-cv-02159-VC  
Northern District of California,  
San Francisco

ORDER

The stipulated motion to dismiss the appeal without prejudice (Docket Entry No. 22) is granted. Pursuant to the stipulation of the parties, this appeal is dismissed without prejudice to its reinstatement in the event that the United States District Court declines to approve the parties' settlement by denying a Motion to Approve Settlement.

Appellant must file a motion to reinstate the appeal with this court within 28 days of an order by the United States District Court denying a motion to approve the parties' settlement.

In the absence of appellant's filing a timely motion for reinstatement, each party shall bear its own fees and costs on appeal.

A copy of this order shall serve as and for the mandate of this court.

FOR THE COURT

By: Ann Julius  
Circuit Mediator