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## UNITED STATES COURT OF APPEALS

## FOR THE NINTH CIRCUIT

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

JUN 30 2023

**FILED** 

EPIC GAMES, INC.,	No. 21-16506
Plaintiff-counter- defendant-Appellant, v. APPLE, INC., Defendant-counter-claimant- Appellee.	D.C. No. 4:20-cv-05640-YGR Northern District of California, Oakland ORDER
EPIC GAMES, INC.,	No. 21-16695
Plaintiff-counter- defendant-Appellee,	D.C. No. 4:20-cv-05640-YGR
V.	
APPLE, INC.,	
Defendant-counter-claimant- Appellant.	
	-

Before: S.R. THOMAS and M. SMITH, Circuit Judges, and McSHANE,<sup>\*</sup> District Judge.

The panel has unanimously voted to deny the petitions for panel rehearing.

Judge M. Smith has voted to deny the petitions for rehearing en banc, and Judges

<sup>\*</sup> The Honorable Michael J. McShane, United States District Judge for the District of Oregon, sitting by designation.

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S.R. Thomas and McShane so recommend. The full court has been advised of the petitions for rehearing en banc and no judge of the court has requested a vote. Fed.R. App. P. 35. The petitions for panel rehearing and rehearing en banc (Dkt Nos. 224 and 225) are DENIED.