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NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

In re: LITHIUM ION BATTERIES ANTITRUST LITIGATION,	No. 17-17369 D.C. No. 4:13-md-02420-YGR
INDIRECT PURCHASER PLAINTIFFS, Plaintiff-Appellee,	MEMORANDUM [*]
v.	
CHRISTOPHER ANDREWS,	
Objector-Appellant,	
V.	
PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA; SANYO ELECTRIC CO, LTD; SANYO NORTH AMERICA CORPORATION; HITACHI, LTD.; HITACHI MAXWELL, LTD.; MAXWELL CORPORATION OF AMERICA; TOSHIBA CORPORATION; TOSHIBA AMERICA ELECTRONIC COMPONENTS, INC.; NEC	

FILED

SEP 16 2019

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

^{*} This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

CORPORATION; SAMSUNG SDI CO. LTD.; SAMSUNG SDI AMERICA, INC.; SONY CORPORATION; SONY ENERGY DEVICES CORPORATION; SONY ELECTRONICS, INC.; NEC TOKIN CORPORATION; LG CHEM, LTD.; LG CHEM AMERICA, INC.,

Defendants-Appellees.

Appeal from the United States District Court for the Northern District of California Yvonne Gonzalez Rogers, District Judge, Presiding

> Submitted August 30, 2019^{**} Seattle, Washington

Before: HAWKINS, McKEOWN, and BYBEE, Circuit Judges.

In light of our disposition in Indirect Purchaser Plaintiffs v. Bednarz, No.

17-17367, vacating the district court's approval of the settlement agreements,

Appellant Christopher Andrews's challenges to the notice of settlement, the district

court's approval order, and the settlement agreements are moot.

Andrews argues that the district court abused its discretion by awarding fees to class counsel. Because we vacated the district court's order approving the settlement agreements, we must also vacate the district court's fee award, as that

^{**} The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

award was "based upon the settlement agreements entered with Hitachi, NEC, and LG Chem."

We VACATE the district court's fee award and REMAND for further proceedings. The remainder of Andrews's arguments are **DISMISSED** as moot. Each party shall bear its own costs on appeal.