

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 27 2020

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

ANDREA SCHMITT, on her own behalf,
and on behalf of all similarly situated
individuals; ELIZABETH MOHUNDRO,
on her own behalf, and on behalf of all
similarly situated individuals,

Plaintiffs-Appellants,

v.

KAISER FOUNDATION HEALTH PLAN
OF WASHINGTON; KAISER
FOUNDATION HEALTH PLAN OF THE
NORTHWEST; KAISER FOUNDATION
HEALTH PLAN, INC,

Defendants-Appellees.

No. 18-35846

D.C. No. 2:17-cv-01611-RSL
Western District of Washington,
Seattle

ORDER

Before: GOULD and NGUYEN, Circuit Judges, and PRESNELL, * District Judge.

The panel has voted to deny the petition for rehearing en banc, and Judge Presnell has so recommended.

The full court has been advised of the petition for rehearing en banc and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App.

P. 35.

The petition for rehearing en banc is denied.

* The Honorable Gregory A. Presnell, United States District Judge for the Middle District of Florida, sitting by designation.