

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 29 2018

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

BEENA BEAUTY HOLDING, INC., DBA
Planet Beauty,

Petitioner,

v.

NATIONAL LABOR RELATIONS
BOARD,

Respondent.

No. 16-72015

NLRB No. 31-CA-144492
National Labor Relations Board

ORDER

NATIONAL LABOR RELATIONS
BOARD,

Petitioner,

v.

BEENA BEAUTY HOLDING, INC., DBA
Planet Beauty,

Respondent.

No. 16-72426

NLRB No. 31-CA-144492

Before: CANBY, WARDLAW, and RAWLINSON, Circuit Judges.

On July 28, 2016, this court issued orders staying proceedings in these consolidated petitions pending the issuance of the United States Supreme Court's ("Supreme Court") decisions in *Epic Systems Corp. v. Lewis*, 16-285, *Ernst & Young v. Morris*, 16-300, and *NLRB v. Murphy Oil USA*, 16-307. On May 21,

2018, the Supreme Court issued its decision in the referenced cases. Accordingly, the stay orders filed July 28, 2016, are lifted and these consolidated petitions shall proceed.

The National Labor Relations Board's ("NLRB") motion for Beena Beauty Holding Inc.'s petition for review to be summarily granted in part and vacated and remanded in part, and for the NLRB's cross-application for enforcement to be summarily denied in part and vacated and remanded in part (Docket Entry No. 23 in petition No. 16-72015 and Docket Entry No. 16 in petition No. 16-72426), is granted.

VACATED and REMANDED.