

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 1 2021

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

In re: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

INDIRECT PURCHASER PLAINTIFFS,

Plaintiff-Appellee,

v.

TOSHIBA CORPORATION; et al.,

Defendants-Appellees,

v.

OMITTED REPEALER STATE  
INDIRECT-PURCHASER PLAINTIFFS,  
Proposed Intervenors,

Movant-Appellant.

No. 20-16684

D.C. No. 4:07-cv-05944-JST  
Northern District of California,  
Oakland

ORDER

Before: W. FLETCHER and CLIFTON, Circuit Judges, and KATZMANN,\*  
Judge.

Appellee's motion to dismiss this appeal for lack of jurisdiction (Docket Entry No. 7) is granted. Because appellants are not members of the settlement class, did not object at the fairness hearing, and have not raised any colorable

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\* The Honorable Gary S. Katzmman, Judge for the United States Court of International Trade, sitting by designation.

arguments that they are exempt from these prerequisites, they may not appeal the district court's order approving the class action settlement. *See Devlin v. Scardelletti*, 536 U.S. 1, 11 (2002) (“[T]he power to appeal is limited to those nonnamed class members who have objected during the fairness hearing.”).