

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

NOV 21 2024

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

DONIECE DRAKE and DEBORAH  
BOWLING, individually and on behalf of  
all others similarly situated,

Plaintiffs - Respondents,

v.

BAYER HEALTHCARE LLC,

Defendant - Petitioner,

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UNITED STATES OF AMERICA  
CHAMBER OF COMMERCE,

Amicus Curiae - Pending.

No. 24-5956

D.C. No.

22cv1085

Southern District of California,  
San Diego

ORDER

Before: S.R. THOMAS and COLLINS, Circuit Judges.

The motion for leave to file a reply in support of the petition for permission to appeal (Docket Entry No. 12) is granted.

The United States Chamber of Commerce's motion for leave to file an amicus brief (Docket Entry No. 9) is granted.

The petition for permission to appeal is granted. *See* Fed. R. Civ. P. 23(f); *Chamberlan v. Ford Motor Co.*, 402 F.3d 952, 959-60 (9th Cir. 2005) (describing

factors this court considers in analyzing a Rule 23(f) petition). Within 14 days, petitioner must comply with Federal Rule of Appellate Procedure 5(d)(1).