

FILED

NOT FOR PUBLICATION

JUN 27 2013

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

UMG RECORDINGS, INC., a Delaware corporation; UNIVERSAL MUSIC CORP., a New York corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL-POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC - MGB NA LLC, a California Limited Liability Company; UNIVERSAL MUSIC - Z TUNES LLC, a New York Limited Liability Company; UNIVERSAL MUSIC - MBG MUSIC PUBLISHING LTD., a UK Company,

Plaintiffs - Appellants,

v.

SHELTER CAPITAL PARTNERS LLC, a Delaware Limited Liability Company; SHELTER VENTURE FUND LP, a Delaware Limited Partnership; SPARK CAPITAL LLC, a Delaware Limited Liability Company; SPARK CAPITAL, L.P., a Delaware Limited Partnership; TORNANTE COMPANY, LLC, a Delaware Limited Liability Company,

Defendants - Appellees,

No. 09-55902

D.C. No. 2:07-cv-05744-AHM-AJW

ORDER

and

VEOH NETWORKS, INC., a California corporation,

Defendant.

UMG RECORDINGS, INC., a Delaware corporation; UNIVERSAL MUSIC CORP., a New York corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL-POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC - MGB NA LLC, a California Limited Liability Company; UNIVERSAL MUSIC - Z TUNES LLC, a New York Limited Liability Company; UNIVERSAL MUSIC - MBG MUSIC PUBLISHING LTD., a UK Company,

Plaintiffs - Appellants,

v.

VEOH NETWORKS, INC., a California corporation,

Defendant - Appellee,

and

SHELTER CAPITAL PARTNERS LLC, a Delaware Limited Liability Company;

No. 09-56777

D.C. No. 2:07-cv-05744-AHM-AJW

SHELTER VENTURE FUND LP, a Delaware Limited Partnership; SPARK CAPITAL LLC, a Delaware Limited Liability Company; SPARK CAPITAL, L.P., a Delaware Limited Partnership; TORNANTE COMPANY, LLC, a Delaware Limited Liability Company,

Defendants.

UMG RECORDINGS, INC., a Delaware corporation; UNIVERSAL MUSIC CORP., a New York corporation; SONGS OF UNIVERSAL, INC., a California corporation; UNIVERSAL-POLYGRAM INTERNATIONAL PUBLISHING, INC., a Delaware corporation; RONDOR MUSIC INTERNATIONAL, INC., a California corporation; UNIVERSAL MUSIC - MGB NA LLC, a California Limited Liability company; UNIVERSAL MUSIC - Z TUNES LLC, a New York Limited Liability company; UNIVERSAL MUSIC - MBG MUSIC PUBLISHING LTD., a UK company,

Plaintiffs - Appellees,

v.

VEOH NETWORKS, INC., a California corporation,

Defendant - Appellant.

No. 10-55732

D.C. No. 2:07-cv-05744-AHM-AJW

Before: PREGERSON, FISHER and BERZON, Circuit Judges.

The panel has voted to deny Appellant's petition for rehearing. Judges Pregerson and Berzon have voted to deny the petition for rehearing en banc and Judge Fisher so recommends.

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.

Appellant's petition for rehearing and rehearing en banc, filed April 4, 2013, is **DENIED**.