

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

AUG 22 2018

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

In re: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION ATHLETIC
GRANT-IN-AID CAP ANTITRUST
LITIGATION.

No. 18-15054

D.C. No. 4:14-md-02541-CW
Northern District of California,
Oakland

SHAWNE ALSTON; et al.,

ORDER

Plaintiffs-Appellees,

DARRIN DUNCAN,

Objector-Appellant,

v.

NATIONAL COLLEGIATE ATHLETIC
ASSOCIATION, The NCAA; et al.,

Defendants-Appellees.

Before: SCHROEDER, SILVERMAN, and M. SMITH, Circuit Judges.

The motion to dismiss this appeal for failure to prosecute or, in the alternative, for summary disposition (Docket Entry No. 14) is denied.

The motion for sanctions (Docket Entry No. 15) and response and reply thereto are referred to the panel that is assigned to decide the merits of this appeal.

The opening brief has been filed.

The Clerk shall file the answering brief submitted on June 8, 2018.

The optional reply brief is due within 21 days after the filing date of this order.