

**FILED**

**NOT FOR PUBLICATION**

JUL 17 2013

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

STEVE HARRIS; DENNIS F. RAMOS,  
AKA Dennis Ramos; DONALD HANKS;  
JORGE TORRES; ALBERT CAPP, On  
Behalf of Themselves and All Others  
Similarly Situated,

Plaintiffs - Appellants,

v.

AMGEN, INC.; AMGEN  
MANUFACTURING, LIMITED; FRANK  
J. BIONDI, Jr.; JERRY D. CHOATE;  
FRANK C. HERRINGER; GILBERT S.  
OMENN; DAVID BALTIMORE;  
JUDITH C. PELHAM; KEVIN W.  
SHARER; FREDERICK W. GLUCK;  
LEONARD D. SCHAEFFER; CHARLES  
BELL; JACQUELINE ALLRED;  
AMGEN PLAN FIDUCIARY  
COMMITTEE; RAUL CERMENO;  
JACKIE CROUSE; FIDUCIARY  
COMMITTEE OF THE AMGEN  
MANUFACTURING LIMITED PLAN;  
LORI JOHNSTON; MICHAEL KELLY,

Defendants - Appellees,

DENNIS M. FENTON; RICHARD  
NANULA; THE FIDUCIARY  
COMMITTEE; AMGEN GLOBAL  
BENEFITS COMMITTEE; AMGEN

No. 10-56014

D.C. No. 2:07-cv-05442-PSG-PLA

**ORDER**

FIDUCIARY COMMITTEE,

Defendants.

Before: FARRIS and W. FLETCHER, Circuit Judges, and KORMAN,  
Senior District Judge.\*

The motion by the American Benefits Council and the Chamber of  
Commerce of the United States of America for leave to file an amicus curiae brief  
in support of the petition for rehearing and petition for rehearing en banc is  
GRANTED.

The brief, received June 28, 2013, is ordered FILED, and shall be circulated  
to the full court.

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\* The Honorable Edward R. Korman, Senior United States District  
Judge for the Eastern District of New York, sitting by designation.