

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 24 2018

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

In re: LOGITECH, INC.

No. 18-72732

LOGITECH, INC.,

D.C. No. 3:18-cv-03091-WHA
Northern District of California,
San Francisco

Petitioner,

ORDER

v.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
CALIFORNIA, SAN FRANCISCO,

Respondent,

JAMES PORATH, individually and on
behalf of all similarly situated individuals,

Real Party in Interest.

Before: LEAVY, BYBEE, and HURWITZ, Circuit Judges.

It does not appear that the parties have raised the constitutional questions presented in this petition to the district court. Accordingly, the petition is denied without prejudice to re-raising the issues in this court after presentation to the district court in the first instance. *See Bauman v. U.S. Dist. Court*, 557 F.2d 650 (9th Cir. 1977).

DENIED.