

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

NOV 8 2023

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

ROBERT J. BUGIELSKI; CHAD S.  
SIMECEK, individually as participants in the  
AT and T Retirement Savings Plan and as a  
representatives of all persons similarly  
situated,

Plaintiffs-Appellants,

v.

AT&T SERVICES, INC.; AT&T BENEFIT  
PLAN INVESTMENT COMMITTEE,

Defendants-Appellees.

No. 21-56196

D.C. No.

2:17-cv-08106-VAP-RAO  
Central District of California,  
Los Angeles

ORDER

Before: PAEZ and BADE, Circuit Judges, and R. COLLINS,\* District Judge.

The panel has unanimously voted to deny the petition for panel rehearing. Judge Bade has voted to deny the petition for rehearing en banc, and Judges Paez and Collins have so recommended. 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.

The petition for panel rehearing and the petition for rehearing en banc (Dkt. 59) are **DENIED**.

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\* The Honorable Raner C. Collins, United States District Judge for the District of Arizona, sitting by designation.