

FILED

OCT 25 2007

**CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS**

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

RUSSUL, a California corporation,

Plaintiff - Appellant,

v.

ZIM AMERICAN INTEGRATED
SHIPPING SERVICES COMPANY,
INC., a New York corporation,

Defendant - Appellee.

No. 06-55154

D.C. No. CV-05-04211-NM

MEMORANDUM*

Appeal from the United States District Court
for the Central District of California
Nora M. Manella, District Judge, Presiding

Submitted October 16, 2007**
Pasadena, California

Before: KOZINSKI, TASHIMA, and McKEOWN, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Plaintiff Russul Corporation appeals the district court's order of December 28, 2005, transferring this case to the United States District Court for the Southern District of New York. We have no jurisdiction over this appeal under 28 U.S.C. § 1292(a)(3). See Gave Shipping Co. v. Parcel Tankers, Inc., 634 F.2d 1156, 1157 (9th Cir. 1980) (holding that there is no appellate jurisdiction under 28 U.S.C. § 1292(a)(3) over orders that do not determine “the rights and liabilities of the parties”).

DISMISSED.