

FILED

UNITED STATES COURT OF APPEALS

DEC 30 2015

FOR THE NINTH CIRCUIT

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

LIVINGWELL MEDICAL CLINIC, INC.;
et al.,

Plaintiffs - Appellants,

v.

KAMALA HARRIS, Attorney General of
the State of California, in her official
capacity; et al.,

Defendants - Appellees.

No. 15-17497

D.C. No. 4:15-cv-04939-JSW
Northern District of California,
Oakland

ORDER

Before: LEAVY, M. SMITH, and IKUTA, Circuit Judges.

This is an emergency motion for an injunction pending appeal of the district court's denial of a motion for a preliminary injunction.

Appellants' motion for an injunction pending appeal is denied. The appellants are not likely to succeed on their claim that the district court abused its discretion in holding that they do not meet the preliminary injunction standard with respect to their First Amendment claims. *See Planned Parenthood of Se.*

Pennsylvania v. Casey, 505 U.S. 833, 884 (1992); *Employment Div., Dep't of Human Res. of Oregon v. Smith*, 494 U.S. 872 (1990).

DA/MOATT

The briefing schedule established previously remains in effect.

Any request for an extension of time to file a brief is disfavored; any such relief must be requested under Ninth Circuit Rule 31-2.2(b).

The Clerk shall place this appeal on the first available calendar upon completion of briefing.