

APR 11 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

<p>ROBERT M. NELSON and WILLIAM BRUCE BRANERDT,; et al.,</p> <p style="text-align: center;">Plaintiffs - Appellants,</p> <p style="text-align: center;">v.</p> <p>NATIONAL AERONAUTICS AND SPACE ADMINISTRATION, an Agency of the United States; et al.,</p> <p style="text-align: center;">Defendants - Appellees.</p>

No. 07-56424

D.C. No. CV-07-05669-ODW
Central District of California,
Los Angeles

ORDER*

Before: RYMER and WARDLAW, Circuit Judges, and REED, Senior District Judge.**

We remand to the district court for further proceedings consistent with the United States Supreme Court’s decision in *NASA v. Nelson*, 131 S. Ct. 746 (2011).

IT IS SO ORDERED.

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

**The Honorable Edward C. Reed, Jr., Senior District Judge for the U.S. District Court for Nevada, Reno, sitting by designation.