

APR 11 2011

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U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ROBERT M. NELSON and WILLIAM  
BRUCE BRANERDT,; et al.,

Plaintiffs - Appellants,

v.

NATIONAL AERONAUTICS AND  
SPACE ADMINISTRATION, an Agency  
of the United States; et al.,

Defendants - Appellees.

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.**

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\*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.