

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

PARENTS INVOLVED IN COMMUNITY
SCHOOLS, a Washington nonprofit
corporation,
*Plaintiff-Counter-Defendant-
Appellant,*

v.

SEATTLE SCHOOL DISTRICT, No. 1, a
political subdivision of the State
of Washington; JOSEPH OLCHEFSKE,
in his official capacity as
superintendent; BARBARA SCHAAD-
LAMPHERE, in her official capacity
as President of the Board of
Directors of Seattle Public
Schools; DONALD NIELSEN, in his
official capacity as Vice President
of the Board of Directors of
Seattle Public Schools; STEVEN
BROWN; JAN KUMASAKA; MICHAEL
PRESTON; NANCY WALDMAN, in
their official capacities as
members of the Board of
Directors,
*Defendants-Counter-Claimants-
Appellees.*

No. 01-35450
D.C. No.
CV-00-01205-BJR
ORDER

Filed February 1, 2005

Before: Mary M. Schroeder, Chief Judge.

ORDER

Upon the vote of a majority of nonrecused regular active judges of this court¹, it is ordered that this case be reheard by the en banc court pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to this court or any district court of the Ninth Circuit, except to the extent adopted by the en banc court.

¹Judges McKeown and Gould are recused.

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