

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

NOLL GARCIA,
Plaintiff-Appellant,

STATE FARM FIRE AND CASUALTY
COMPANY,
Intervenor-Appellee,

v.

DENNIS BROCKWAY; ROBERT
STEWART; STEWART MILES &
ASSOCIATES,
Defendants-Appellees,

and

J. J. ZAVOSHY; Y. W. ZAVOSHY;
H&H PROPERTIES; ZAVOSHY REV.
INTER VIVOS TRUST,
Defendants.

No. 05-35647

D.C. No.
CV-03-00193-MHW
District of Idaho,
Boise

TAMARA THOMPSON; DISABLED
RIGHTS ACTION COMMITTEE (a Utah
non-profit corporation),

Plaintiffs-Appellants,

v.

GOHRES CONSTRUCTION Co., a
Nevada corporation; MARC
GOHRES,

Defendants,

and

MICHAEL E. TURK,

Defendant-Appellee.

No. 06-15042

D.C. No.

CV-05-00156-ECR

District of Nevada,

Las Vegas

ORDER

Filed January 7, 2008

ORDER

KOZINSKI, Chief Judge:

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

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