

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

BARBARA BAUMAN; GREGORY  
GRECO; JOSEFINA NUNEZ; GABRIELE  
NUNEZ; MIRIAM NUNEZ; SILVIA  
NUNEZ; EMILIO GUILLERMO PESCE;  
MIRTA HAYDEN ARENAS; GRACIELA  
GIGENA; GUILLERMO ALBERTO  
GIGENA; NURIA GIGENA; AMELIA  
SCHIAFFO; ELBA LECHNER;  
ANUNCIACION SPALTRO DE  
BELMONT; HECTOR RATTO; EDUARDO  
OLASIREGUI; RICARDO MARTIN  
HOFFMAN; EDUARDO ESTIVILLE;  
ALFREDO MANUEL MARTIN; JUAN  
JOSE MARTIN; JOSE BARREIRO;  
ALEJANDRO DAER,

*Plaintiffs-Appellants,*

v.

DAIMLERCHRYSLER CORPORATION  
and DAIMLERCHRYSLER AG,  
*Defendants-Appellees.*

No. 07-15386  
D.C. No.  
CV-04-00194-RMW  
Northern District of  
California,  
San Jose  
ORDER

Filed May 6, 2010

Before: Mary M. Schroeder, Dorothy W. Nelson and  
Stephen Reinhardt, Circuit Judges.

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**ORDER**

Appellants' Petition for Rehearing is GRANTED. The opinion filed on August 28, 2009 is vacated. This case shall be reheard by the 3-judge panel the week of June 21, 2010,

in Pasadena, California. The date and time of oral argument will be set soon, and counsel should inform this court of any potential conflicts immediately.

The parties are ordered to submit supplemental briefs addressing the following questions:

1. Is “control” an element of this court’s agency test for personal jurisdiction? If so, how much control is required? If our precedent is unclear, how much control should be required?
2. If the panel concludes that an agency relationship exists, would an exercise of general jurisdiction over defendants be reasonable in this case?

These supplemental briefs shall be no longer than ten pages or 2800 words, and shall be submitted no later than 14 days after the entry of this order. Parties who are registered for Appellate ECF must file the supplemental brief electronically. Parties who are not registered Appellate ECF filers must file the original supplemental brief plus seven paper copies.

The Petition for Rehearing En Banc is denied as moot without prejudice to filing a new petition for rehearing en banc.



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