

**FOR PUBLICATION**

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

KWAI FUN WONG; WU-WEI TIEN  
TAO ASSOCIATION,  
*Plaintiffs-Appellants,*

v.

DAVID V. BEEBE, a former  
Immigration and Naturalization  
Service (n.k.a. Department of  
Homeland Security) Official;  
UNITED STATES OF AMERICA,  
*Defendants-Appellees.*

No. 10-36136

D.C. No.  
3:01-cv-00718-  
JO

ORDER

Filed January 3, 2013

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**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 Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.