

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

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.