

**FOR PUBLICATION**

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

IN RE SUNNYSLOPE HOUSING  
LIMITED PARTNERSHIP,  
*Debtor,*

FIRST SOUTHERN NATIONAL  
BANK,  
*Plaintiff-Appellant,*

v.

SUNNYSLOPE HOUSING LIMITED  
PARTNERSHIP,  
*Defendant-Appellee.*

No. 12-17241

D.C. No.  
2:11-cv-02579-HRH

IN RE SUNNYSLOPE HOUSING  
LIMITED PARTNERSHIP,  
*Debtor,*

---

SUNNYSLOPE HOUSING LIMITED  
PARTNERSHIP,  
*Plaintiff-Appellant,*

v.

FIRST SOUTHERN NATIONAL  
BANK,  
*Defendant-Appellee.*

---

No. 12-17327

D.C. No.  
2:11-cv-02579-HRH

IN RE SUNNYSLOPE HOUSING  
LIMITED PARTNERSHIP,  
*Debtor,*

---

FIRST SOUTHERN NATIONAL  
BANK,  
*Plaintiff-Appellant,*

v.

SUNNYSLOPE HOUSING LP,  
*Defendant-Appellee.*

---

No. 13-16164

D.C. No.  
2:12-cv-02700-HRH

---

IN RE SUNNYSLOPE HOUSING  
LIMITED PARTNERSHIP,  
*Debtor,*

No. 13-16180  
D.C. No.  
2:12-cv-02700-HRH

---

SUNNYSLOPE HOUSING LP,  
*Plaintiff-Appellant,*

ORDER

v.

FIRST SOUTHERN NATIONAL  
BANK,  
*Defendant-Appellee.*

Filed September 22, 2016

---

**ORDER**

THOMAS, Chief Judge:

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