

FOR PUBLICATION

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

PLANNED PARENTHOOD
FEDERATION OF AMERICA, INC.;
PLANNED PARENTHOOD: SHASTA-
DIABLO, INC., DBA Planned
Parenthood Northern California;
PLANNED PARENTHOOD MAR
MONTE, INC.; PLANNED
PARENTHOOD OF THE PACIFIC
SOUTHWEST; PLANNED
PARENTHOOD LOS ANGELES;
PLANNED PARENTHOOD/ORANGE
AND SAN BERNARDINO
COUNTIES, INC.; PLANNED
PARENTHOOD OF SANTA
BARBARA, VENTURA AND SAN
LUIS OBISPO COUNTIES, INC.;
PLANNED PARENTHOOD
PASADENA AND SAN GABRIEL
VALLEY, INC.; PLANNED
PARENTHOOD CENTER FOR
CHOICE; PLANNED PARENTHOOD
OF THE ROCKY MOUNTAINS;
PLANNED PARENTHOOD GULF
COAST,

Plaintiffs-Appellees,

v.

No. 16-16997

D.C. No.
3:16-cv-00236-
WHO

**ORDER
AMENDING
CONCURRENCE**

CENTER FOR MEDICAL
PROGRESS; BIOMAX
PROCUREMENT SERVICES, LLC;
DAVID DALEIDEN, AKA Robert
Daoud Sarkis; SANDRA SUSAN
MERRITT, AKA Susan
Tennenbaum; GERARDO ADRIAN
LOPEZ,

Defendants-Appellants,

and

TROY NEWMAN; PHILLIP S.
CRONIN; ALBIN RHOMBERG,
Defendants.

Filed August 1, 2018

Before: Ronald M. Gould and Mary H. Murguia, Circuit
Judges, and Nancy Freudenthal,* Chief District Judge.

* The Honorable Nancy Freudenthal, Chief United States District
Judge for the District of Wyoming, sitting by designation.

ORDER

The concurrence opinion in the above-captioned matter filed on May 16, 2018, and published at 890 F.3d 828, is amended as follows:

At opinion page 838, delete the sentence: <I respectfully suggest that we should take this opportunity to fix this error in our court's precedent with a call of the case en banc.>

And replace the deleted sentence with: <Although the propriety of interlocutory appeals for denials of anti-SLAPP motions was not briefed by the parties in this case, I respectfully suggest that we take the opportunity to fix this error in the future.>

The Petition for Panel Rehearing and Rehearing En Banc remains pending.

IT IS SO ORDERED.