

**FOR PUBLICATION**

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

CITY OF OAKLAND, A Municipal  
Corporation,  
*Plaintiff-Appellee,*

v.

WELLS FARGO & COMPANY; WELLS  
FARGO BANK, N.A.,  
*Defendants-Appellants.*

No. 19-15169

D.C. No.  
3:15-cv-04321-  
EMC

ORDER

Filed April 20, 2021

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**ORDER**

THOMAS, 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. The three-judge panel opinion is vacated.

Judges Christen, Watford, Owens, Friedland, Bennett, and Collins did not participate in the deliberations or vote in this case.