

FOR PUBLICATION

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

KIMETRA BRICE; EARL BROWNE;
JILL NOVOROT,
Plaintiffs-Appellees,

v.

PLAIN GREEN, LLC,
Defendant,

and

HAYNES INVESTMENTS, LLC; L.
STEPHEN HAYNES,
Defendants-Appellants.

No. 19-15707

D.C. No.
3:18-cv-01200-
WHO

ORDER

Filed June 6, 2022

ORDER

MURGUIA, 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.

Judge Koh did not participate in the deliberations or vote in this case.