

**FOR PUBLICATION**

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

DAVID CASSIRER; THE ESTATE  
OF AVA CASSIRER; UNITED  
JEWISH FEDERATION OF SAN  
DIEGO COUNTY, a California non-  
profit corporation,

*Plaintiffs-Appellants,*

v.

THYSSEN-BORNEMISZA  
COLLECTION FOUNDATION, an  
agency or instrumentality of the  
Kingdom of Spain,

*Defendant-Appellee.*

No. 19-55616

D.C. No.  
2:05-cv-03459-  
JFW-E

ORDER

On Remand from the United States Supreme Court

Filed April 30, 2025

Before: Consuelo M. Callahan, Carlos T. Bea, and Sandra  
S. Ikuta, Circuit Judges.

## SUMMARY\*

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### Foreign Sovereign Immunities Act / Return of Art

The panel filed an order granting plaintiffs-appellants' motion for remand and remanding the case to the district court for proceedings consistent with the Supreme Court's opinion in *Cassirer v. Thyssen-Bornemisza Coll. Found.*, No. 24-652, 2025 WL 746324 (U.S. Mar. 10, 2025).

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### COUNSEL

David Boies (argued), Boies Schiller Flexner LLP, Armonk, New York; David A. Barrett, Boies Schiller Flexner LLP, New York, New York; Scott E. Grant, Boies Schiller Flexner LLP, Washington D.C.; Stephen N. Zack, Andrew S. Brenner, and Rossana Baeza, Boies Schiller Flexner LLP, Miami, Florida; Laura W. Brill and Nicholas Daum, Kendall Brill & Kelly LLP, Los Angeles, California; Samuel J. Dubbin, Dubbin & Kravetz LLP, Coral Gables, Florida; Devin Freedman, Freedman Normand Friedland, Miami, Florida; for Plaintiffs-Appellants.

Thaddeus J. Stauber (argued), Sarah E. André, Aaron M. Brian, and Irene Scholl-Tatevosyan, Nixon Peabody LLP, Los Angeles, California, for Defendant-Appellee.

Patrick T. Byrne and Bernardo M. Cremades Román, B. Cremades & Asociados, Madrid, Spain, for Amici Curiae

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\* This summary constitutes no part of the opinion of the court. It has been prepared by court staff for the convenience of the reader.

Comunidad Judía de Madrid & Federación de Comunidades Judías de España.

Amelia L.B. Sargent and Kirby Hsu, Willenken LLP, Los Angeles, California, for Amici Curiae Kingdom of Spain.

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Benjamin G. Shatz, Manatt Phelps & Phillips LLP, Los Angeles, California; Rajika L. Shah, Loyola Genocide Justice Clinic LMU Loyola Law School, Los Angeles California; for Amici Curiae 1939 Society, Bet Tzedek, Center for the Study of Law & Genocide, and Loyola Genocide Justice Clinic.

Robert E. Kohn, Kohn Law Group Inc., Santa Monica, California; Raymond J. Dowd, Dunnington Bartholow & Miller LLP, New York, New York; for Amici Curiae Monuments Men and Women Foundation and Holocaust Restitution Committee.

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## ORDER

Plaintiffs-Appellants' Motion for Remand to the District Court (Dkt. 182) is GRANTED. The case is remanded to the district court for proceedings consistent with the Supreme Court's opinion in *Cassirer v. Thyssen-Bornemisza Collection Foundation*, No. 24-652, 2025 WL 746324 (U.S. Mar. 10, 2025). Each party shall bear their own costs.