

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

COMITE DE JORNALEROS DE  
REDONDO BEACH; NATIONAL DAY  
LABORER ORGANIZING NETWORK,  
*Plaintiffs-Appellees,*  
v.  
CITY OF REDONDO BEACH,  
*Defendant-Appellant.*

No. 06-55750  
D.C. No.  
CV-04-09396-CBM

COMITE DE JORNALEROS DE  
REDONDO BEACH; NATIONAL DAY  
LABORER ORGANIZING NETWORK,  
*Plaintiffs-Appellees,*  
v.  
CITY OF REDONDO BEACH,  
*Defendant-Appellant.*

No. 06-56869  
D.C. No.  
CV-04-09396-CBM  
ORDER

Filed October 15, 2010

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**ORDER**

KOZINSKI, Chief Judge:

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