

**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.

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\* 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.**