

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

APR 26 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAK SUKYAS; EDWARD SUKYAS,

Plaintiffs-Appellants,

v.

ROMANIA; RADEF ROMANIA FILM,

Defendants-Appellees.

No. 17-56557

D.C. No.

2:15-cv-01946-FMO-JC

Central District of California,

Los Angeles

ORDER

Before: WARDLAW and BENNETT, Circuit Judges, and SESSIONS,* District Judge.

The memorandum disposition filed on March 19, 2019 is amended as follows:

On page four of the memorandum disposition, in the paragraph beginning “The district court did not address,” replace <Although the Sukyas brothers sufficiently allege that the rights in issue—their ownership rights in CIRO’s assets, real estate, and business—are property rights, we remand for the district court to decide in the first instance whether CIRO “was indeed ‘taken in violation of international law.’”> with <We remand for the district court to decide in the first instance whether the Sukyas brothers’ ownership rights in CIRO’s assets, real

* The Honorable William K. Sessions III, United States District Judge for the District of Vermont, sitting by designation.

estate, and business are “rights in property,” and whether CIRO “was indeed ‘taken in violation of international law.’”>.

With this amendment, Judges Wardlaw and Bennett vote to deny the appellees’ petition for panel rehearing and rehearing en banc, and Judge Sessions so recommends. The full court has been advised of the petition for rehearing en banc and no active judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35. The petition for panel rehearing and rehearing en banc is therefore DENIED. No further petitions for panel or en banc rehearing shall be permitted.

IT IS SO ORDERED.