

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

MARY BULL; JONAH ZERN, and all others similarly situated; LAURA TIMBROOK; LEIGH FLEMING; CHARLI JOHNSON; MICKY MANGOSING; ALEXIS BRONSON; MARCY CORNEAU; LISA GIAMPAOLI,  
*Plaintiffs-Appellees,*

v.

CITY AND COUNTY OF SAN FRANCISCO; SAN FRANCISCO COUNTY SHERIFF’S DEPARTMENT; MICHAEL HENNESSEY, Sheriff; SAN FRANCISCO COUNTY SHERIFF’S DEPUTIES,  
*Defendants-Appellants.*

No. 05-17080  
D.C. No.  
CV-03-01840-CRB

MARY BULL; JONAH ZERN, and all others similarly situated; LAURA TIMBROOK; LEIGH FLEMING; CHARLI JOHNSON; MICKY MANGOSING; ALEXIS BRONSON; MARCY CORNEAU; LISA GIAMPAOLI,  
*Plaintiffs-Appellees,*

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CITY AND COUNTY OF SAN FRANCISCO; SAN FRANCISCO COUNTY SHERIFF’S DEPARTMENT; MICHAEL HENNESSEY, Sheriff; SAN FRANCISCO COUNTY SHERIFF’S DEPUTIES,  
*Defendants-Appellants.*

No. 06-15566  
D.C. No.  
CV-03-01840-CRB/  
EMC  
ORDER

Filed February 20, 2009

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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.



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