

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

CATHOLIC LEAGUE FOR  
RELIGIOUS AND CIVIL RIGHTS;  
RICHARD SONNENSHEIN; VALERIE  
MEEHAN,

*Plaintiffs-Appellants,*

v.

CITY AND COUNTY OF SAN  
FRANCISCO; AARON PESKIN; TOM  
AMMIANO, in his official capacity  
as a Supervisor, Board of  
Supervisors, City and County of  
San Francisco,

*Defendants-Appellees.*

No. 06-17328  
D.C. No.  
CV-06-02351-MHP  
ORDER

Filed November 5, 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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