

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

WINDY PAYNE, individually and as
guardian on behalf of; D.P., a
minor child,

Plaintiffs-Appellants,

v.

PENINSULA SCHOOL DISTRICT, a
municipal corporation; ARTONDALE
ELEMENTARY SCHOOL, a municipal
corporation; JODI COY, in her
individual and official capacity;
JAMES COOLICAN, in his individual
and official capacity; JANE DOES 1-
10; JOHN DOES 1-10,

Defendants-Appellees.

No. 07-35115

D.C. No.
CV-05-05780-RBL

ORDER

Filed September 7, 2010

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.