

FILED

## FOR PUBLICATION

SEP 26 2014

## UNITED STATES COURT OF APPEALS

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

## FOR THE NINTH CIRCUIT

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**RANDOLPH WOLFSON,**

Plaintiff - Appellant,

v.

**COLLEEN CONCANNON, in her official capacity as member of the Arizona Commission on Judicial Conduct; LOUIS FRANK DOMINGUEZ, in his official capacity as member of the Arizona Commission on Judicial Conduct; PETER J. ECKERSTROM, in his official capacity as member of the Arizona Commission on Judicial Conduct; GEORGE H. FOSTER, in his official capacity as member of the Arizona Commission on Judicial Conduct; GUSTAVO ARAGON, JR., in his official capacity as member of the Arizona Commission on Judicial Conduct; ROGER BARTON, in his official capacity as member of the Arizona Commission on Judicial Conduct; ANNA MARY GLAAB, in her official capacity as secretary of the Arizona Commission on Judicial Conduct; S' LEE HINSHAW, in his official capacity as member of the Arizona Commission on Judicial Conduct; DAVID STEVENS, in his official capacity as member of the**

No. 11-17634

D.C. No. 3:08-cv-08064-FJM

**ORDER**

**Arizona Commission on Judicial Conduct; J. TYRELL TABER, in his official capacity as member of the Arizona Commission on Judicial Conduct; LAWRENCE F. WINTHROP, in his official capacity as member of the Arizona Commission on Judicial Conduct; MARET VESSELLA, Chief Bar Counsel of the State Bar of Arizona,**

Defendants - Appellees.

**THOMAS**, Circuit Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a) and Circuit Rule 35-3.

Judges McKeown and Murguia did not participate in the deliberations or vote in this case.