

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

APR 20 2021

FOR THE NINTH CIRCUIT

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

CITY OF OAKLAND, A Municipal
Corporation,

Plaintiff-Appellee,

v.

WELLS FARGO & COMPANY; WELLS
FARGO BANK, N.A.,

Defendants-Appellants.

No. 19-15169

D.C. No. 3:15-cv-04321-EMC
Northern District of California,
San Francisco

ORDER

THOMAS, Chief 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. The three-judge panel opinion is vacated.

Judges Christen, Watford, Owens, Friedland, Bennett, and Collins did not participate in the deliberations or vote in this case.