

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 26 2023

FOR THE NINTH CIRCUIT

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

DAVID WIT; et al.,

Plaintiffs-Appellees,

LINDA TILLITT; MARY JONES,

Intervenor-Plaintiffs-  
Appellees,

v.

UNITED BEHAVIORAL HEALTH,

Defendant-Appellant.

Nos. 20-17363  
21-15193

D.C. No. 3:14-cv-02346-JCS  
Northern District of California,  
San Francisco

ORDER

GARY ALEXANDER, on his own behalf  
and on behalf of his beneficiary son, Jordan  
Alexander; et al.,

Plaintiffs-Appellees,

MICHAEL DRISCOLL,

Intervenor-Plaintiff-  
Appellee,

v.

UNITED BEHAVIORAL HEALTH,

Defendant-Appellant.

Nos. 20-17364  
21-15194

D.C. No. 3:14-cv-05337-JCS

Before: CHRISTEN and FORREST, Circuit Judges, and ANELLO,\* District Judge.

The memorandum disposition filed on March 22, 2022, is withdrawn and replaced with the concurrently filed opinion. The pending petition for panel rehearing and rehearing en banc [97], and amicus curiae motions [101, 105, & 112] are **DENIED** as moot. The court permits the parties to file subsequent petitions for panel rehearing and rehearing en banc.

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\* The Honorable Michael M. Anello, United States District Judge for the Southern District of California, sitting by designation.