

**FILED****NOT FOR PUBLICATION**

DEC 09 2008

**UNITED STATES COURT OF APPEALS**MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS**FOR THE NINTH CIRCUIT****RAHINAH IBRAHIM, an individual,**

No. 06-16727

Plaintiff - Appellant,

D.C. No. CV-06-00545-WHA

v.

**ORDER**

**DEPARTMENT OF HOMELAND SECURITY; MICHAEL CHERTOFF, in his official capacity as the Secretary of the Department of Homeland Security; TOM RIDGE, in his official capacity as the former Secretary of the Department of Homeland Security; TRANSPORTATION SECURITY ADMINISTRATION; KIP HAWLEY, in his official capacity as Administrator of the Transportation Security Administration; DAVID M. STONE, in his official capacity as Acting Administrator of the Transportation Security Administration; TERRORIST SCREENING CENTER; DONNA BUCELLA, in her official capacity as Director of the Terrorist Screening Center; NORM MINETA, in his official capacity as Secretary of Transportation; FEDERAL AVIATION ADMINISTRATION; MARION C. BLAKEY, in her official capacity as Administrator of the Federal Aviation Administration; FEDERAL BUREAU OF INVESTIGATION; ROBERT**

**MUELLER, in his official capacity as  
Director of the Federal Bureau of  
Investigation; UAL CORPORATION;  
UNITED AIRLINES; DAVID NEVINS,  
an individual; JOHN BONDANELLA,  
an individual; TRANSPORTATION  
SECURITY OPERATIONS CENTER;  
TRANSPORTATION SECURITY  
INTELLIGENCE SERVICES,**

Defendants - Appellees,

and

**SAN FRANCISCO AIRPORT; CITY  
OF SAN FRANCISCO; COUNTY OF  
SAN FRANCISCO; CITY OF SAN  
FRANCISCO POLICE  
DEPARTMENT; RICHARD PATE, an  
individual; JOHN CUNNINGHAM, an  
individual; ELIZABETH MARON, an  
individual; US INVESTIGATIONS  
SERVICES INC., a Virginia  
corporation,**

Defendants.

Before: **KOZINSKI**, Chief Judge, **N.R. SMITH**, Circuit Judge, and  
**OTERO**,\* District Judge.

The petitions for rehearing are denied. See Fed. R. App. P. 40. Judge Smith would grant the petitions.

---

\* The Honorable S. James Otero, United States District Judge for the Central District of California, sitting by designation.