## FOR PUBLICATION

## UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

| TASH HEPTING, ON Behalf Of<br>Himself and All Others Similarly<br>Situated; GREGORY HICKS; ERIK<br>KNUTZEN, ON Behalf Of Themselves<br>and All Others Similarly Situated;<br>CAROLYN JEWEL ON Behalf Of<br>Herself and All Others Similarly<br>Situated; BENSON B. ROE, Plaintiff<br>in related case no. C-06-03467<br>MMC,<br><i>Plaintiffs-Appellees</i> , | No. 06-17132    |
|--|-----------------|
| 1 iuniijjs-Appenees,   |                 |
| and  | D.C. No.        |
| WIRED NEWS; CONDENET INC.,<br>Intervenors,   | CV-06-00672-VRW |
| v.   |                 |
| AT&T CORPORATION,<br>Defendant-Appellant,  |                 |
| and  |                 |
| AT&T, INC., Defendant,   |                 |
| UNITED STATES OF AMERICA,<br>Defendant-Intervenor.   |                 |

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TASH HEPTING, on Behalf of Himself and All Others Similarly Situated; GREGORY HICKS, ERIK KNUTZEN, on Behalf of Themselves and All Others Similarly Situated; CAROLYN JEWEL, on Behalf of No. 06-17137 Herself and All Others Similarly D.C. No. Situated; BENSON B. ROE, Plaintiff CV-06-00672-VRW in related case no. C-06-03467 Northern District of MMC, California, Plaintiffs-Appellees, San Francisco v. ORDER AT&T CORPORATION; AT&T, INC., Defendants, and UNITED STATES OF AMERICA, Defendant-Intervenor-Appellant.

Filed August 21, 2008

Before: Harry Pregerson, Michael Daly Hawkins, and M. Margaret McKeown, Circuit Judges.

## ORDER

In light of the FISA Amendments Act of 2008, Pub. L. No. 110-261, we remand this case to the district court. We retain jurisdiction over any further appeals.

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