

**FILED**

## UNITED STATES COURT OF APPEALS

JUL 08 2010

## FOR THE NINTH CIRCUIT

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

KEVIN M. SCHILLING; et al.,

No. 10-80055

Plaintiffs - Respondents,

D.C. No. 3:08-cv-00941-SI

v.

Northern District of California,

TRANSCOR AMERICA, LLC; et al.,

San Francisco

Defendants - Petitioners.

ORDER

Before: FISHER and M. SMITH, Circuit Judges.

Petitioners' petition for rehearing en banc, received on May 4, 2010, is deemed filed and is construed as a motion to reconsider en banc the court's April 14, 2010 order. So construed, the motion is denied on behalf of the court. *See* 9th Cir. R. 27-10; 9th Cir. Gen. Ord. 6.11.

No further filings shall be accepted in this closed case.

KS/MOATT