

175 F.3d 761  
United States Court of Appeals,  
Ninth Circuit.

Panchita HODGERS-DURGIN, individually and  
on behalf of all others similarly situated; Antonio  
V. Lopez, individually and on behalf of all others  
similarly situated, Plaintiffs-Appellants,

v.

Gustavo DE LA VINA, in his official capacity;  
Ronald E. Sanders, in his official capacity; Stephen  
Norman, in his official capacity,  
Defendants-Appellees.

No. 97-16449. | May 13, 1999.

Before: HUG, Chief Judge.

**Opinion**

**\*762 ORDER**

Upon the vote of a majority of nonrecused regular active  
judges of this court, it is ordered that this case be reheard  
by the en banc court pursuant to Circuit Rule 35-3. The  
three-judge panel opinion, *Hodgers-Durgin v. de la Vina*,  
165 F.3d 667 (9th Cir.1999), is withdrawn.