

FILED

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

JAN 2 2019

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

FOR THE NINTH CIRCUIT

THE DEMOCRATIC NATIONAL
COMMITTEE; DSCC, AKA Democratic
Senatorial Campaign Committee; THE
ARIZONA DEMOCRATIC PARTY,

Plaintiffs-Appellants,

v.

MICHELE REAGAN, in her official
capacity as Secretary of State of Arizona;
MARK BRNOVICH, Attorney General, in
his official capacity as Arizona Attorney
General,

Defendants-Appellees,

THE ARIZONA REPUBLICAN PARTY;
BILL GATES, Councilman; SUZANNE
KLAPP, Councilwoman; DEBBIE LESKO,
Sen.; TONY RIVERO, Rep.,

Intervenor-Defendants-
Appellees.

No. 18-15845

D.C. No. 2:16-cv-01065-DLR
District of Arizona,
Phoenix

ORDER

THOMAS, Chief Judge:

Upon the vote of a majority of nonrecused active judges, it is ordered that
this case be reheard en banc pursuant to Federal Rule of Appellate Procedure 35(a)

and Circuit Rule 35-3. The three-judge panel disposition in this case shall not be cited as precedent by or to any court of the Ninth Circuit.

Judge McKeown did not participate in the deliberations or vote in this case.