

FILED

UNITED STATES COURT OF APPEALS

FEB 12 2010

FOR THE NINTH CIRCUIT

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

MUHAMMAD SHABAZZ
FARRAKHAN, aka Ernest S. Walker; AL-
KAREEM SHADEED; MARCUS X.
PRICE; RAMON BARRIENTES;
TIMOTHY SCHAAF; CLIFTON
BRICENO,

Plaintiffs - Appellants,

v.

CHRISTINE O. GREGOIRE; SAM
REED; HAROLD W. CLARKE; STATE
OF WASHINGTON,

Defendants - Appellees.

No. 06-35669

DC No. CV 96-0076 RHW
ED Wash., Spokane

ORDER

Before: REINHARDT, TASHIMA, and McKEOWN, Circuit Judges.

The parties shall file concurrent briefs setting forth their respective positions on whether this case should be, or should not be, reheard en banc. Said briefs shall be filed within 21 days of the filed date of this order.