

FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JAN 2 2019

FOR THE NINTH CIRCUIT

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

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.