

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

AUG 02 2012

DAVID K. MEHL; et al.,  
  
Plaintiffs - Appellants,  
  
and  
  
FRANK FLORES,  
  
Plaintiff,  
  
v.  
  
LOU BLANAS; et al.,  
  
Defendants - Appellees.

No. 08-15773

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

D.C. No. 2:03-CV-02682-MCE-  
KJM  
Eastern District of California,  
Sacramento

ORDER

Before: SCHROEDER, ROTH,\* and BERZON, Circuit Judges.

This case is resubmitted effective upon the filing of this order.

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\* The Honorable Jane R. Roth, Senior Circuit Judge for the Third Circuit, sitting by designation.