

FILED

UNITED STATES COURT OF APPEALS

MAY 11 2012

FOR THE NINTH CIRCUIT

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

COALITION TO DEFEND
AFFIRMATIVE ACTION; et al.,

Plaintiffs - Appellants,

v.

EDMUND G. BROWN, Jr., in his official
capacity as Governor of the State of
California; et al.,

Defendants - Appellees,

and

WARD CONNERLY; et al.,

Defendant - Intervenors -
Appellees.

No. 11-15100

D.C. No. 3:10-cv-00641-SC
Northern District of California,
San Francisco

ORDER

COALITION TO DEFEND
AFFIRMATIVE ACTION; et al.,

Plaintiffs - Appellees,

v.

EDMUND G. BROWN, Jr., in his official
capacity as Governor of the State of
California,

Defendant,

No. 11-15241

D.C. No. 3:10-cv-00641-SC
Northern District of California,
San Francisco

MARK YUDOF, in his official capacity as
President of the University of California,

Defendant - Appellant,

and

WARD CONNERLY; et al.,

Defendant - Intervenors.

Before: TASHIMA and SILVERMAN, Circuit Judges, and GARBIS, Senior District Judge.*

The panel has voted to deny Mark Yudof's petition for rehearing. Judge Tashima would grant the petition for rehearing. Judge Silverman has voted to deny Yudof's petition for rehearing en banc. Judges Tashima and Garbis have recommended that the petition for rehearing en banc be granted.

The panel has voted to deny Plaintiffs' petition for rehearing. Judge Silverman has voted to deny Plaintiffs' petition for rehearing en banc, and Judge Garbis so recommended. Judge Tashima recommended that the petition for rehearing en banc be granted.

The full court has been advised of both Yudof's and Plaintiffs' petitions for rehearing en banc and no active judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

* The Honorable Marvin J. Garbis, Senior District Judge for the District of Maryland, sitting by designation.

Yudof's and Plaintiffs' petitions for rehearing and petitions for rehearing en banc are DENIED.