

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FIREMAN'S FUND INSURANCE
COMPANY, a California corporation,

Plaintiff-Appellant,

v.

CITY OF LODI, California, JACK
SIEGLOCK; in his capacity as Mayor of the
City of Lodi; RICHARD PRIMA, JR., in his
capacity as Enforcing Officer of Lodi
Ordinance No. 1650; RANDALL A. HAYS,
individually and in his capacity as Lodi City
Attorney; MICHAEL C. DONOVAN,
individually and in his capacity as Lodi
Assistant City Attorney; ADAM L. BABICH,
individually and in his capacity as Lodi
Assistant City Attorney; STEVEN H. DOTO,
individually and in his capacity as Lodi
Assistant City Attorney; BRET A. STONE,
individually and in his capacity as Lodi
Assistant City Attorney; JOHN R. TILL,
individually and in his capacity as Lodi
Assistant City Attorney; ZEVNICK,
HORTON, GUIBORD AND McGOVERN,
LLP, individually and in their capacity as
Lodi Assistant City Attorneys; FRAN E.
FORKAS, in his capacity as Enforcing
Officer of Lodi Ordinance No. 1650;

Defendants-Appellees.

No. 99-15614

D.C. No. CV-98-01489-FCD

ORDER WITHDRAWING
OPINION

UNIGARD INSURANCE COMPANY, a
Washington corporation; UNIGARD
SECURITY INSURANCE COMPANY, a
Washington corporation,

Plaintiffs-Appellants,

v.

CITY OF LODI,

Defendant-Appellee.

No. 99-15802

D.C. No. CV-98-01712-FCD

Filed April 17, 2002

Before: PREGERSON, D.W. NELSON, Circuit Judges and MOSKOWITZ,
District Judge.¹

The opinion filed on January 8, 2002, slip op. 229, and appearing
at 271 F.3d 911 (9th Cir. 2002) is hereby withdrawn. It may not be cited as
precedent by or to this court or any district court of the Ninth Circuit.

¹ The Honorable Barry Ted Moskowitz, United States District Judge for the
Southern District of California, sitting by designation.