

**FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

CALIFORNIA DEMOCRATIC PARTY;  
ART TORRES; KATHY BOWLER; PAUL  
JORJORIAN; PEACE AND FREEDOM  
PARTY; C.T. WEBER; LIBERTARIAN  
PARTY OF CALIFORNIA; GAIL  
LIGHTFOOT,  
Plaintiffs-Appellants,

and

CALIFORNIA REPUBLICAN PARTY;

MICHAEL SCHROEDER; SHAWN  
STEEL; DONNA SHALANSKY,

Plaintiffs-Intervenors,

No. 97-17440

D.C. No.

CV-96-02038-DFL

v.

BILL JONES, SECRETARY OF STATE OF  
CALIFORNIA,  
Defendant-Appellee,

v.

CALIFORNIANS FOR AN OPEN  
PRIMARY,  
Defendant-Intervenor-Appellee.

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CALIFORNIA DEMOCRATIC PARTY;  
ART TORRES; KATHY BOWLER; PAUL  
JORJORIAN; PEACE AND FREEDOM  
PARTY; C.T. WEBER; LIBERTARIAN  
PARTY OF CALIFORNIA; GAIL

LIGHTFOOT,

Plaintiffs,

No. 97-17442

D.C. No.

CV-96-02038-DFL

and

CALIFORNIA REPUBLICAN PARTY;

MICHAEL SCHROEDER; SHAWN

STEEL; DONNA SHALANSKY,

Plaintiffs-Intervenors-Appellants,

v.

BILL JONES, SECRETARY OF STATE OF

CALIFORNIA,

Defendant-Appellee.

Filed March 19, 2001

Before: Procter Hug, Jr., Chief Judge, Betty B. Fletcher and  
Stephen S. Trott, Circuit Judges.

ORDER

VACATING

OPINION AND

REVERSING THE

DISTRICT COURT

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**ORDER**

Pursuant to the stipulation of the parties we enter this order.

Pursuant to the mandate of the United States Supreme Court certified on July 26, 2000, in California Democratic Party v. Bill Jones, 530 U.S. 567, 120 S. Ct. 2402, 147 L.Ed.2d 502, we vacate our opinion at 169 F.3d 646 (9th Cir. 1999), reverse the district court, and remand for further proceedings which are consistent with the opinion of the Supreme Court.