

FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

PEARLIE RUCKER; HERMAN WALKER;
WILLIE LEE; BARBARA HILL,
Plaintiffs-Appellees.

v.

HAROLD DAVIS; OAKLAND HOUSING
AUTHORITY,

Defendants,

and

U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,
Defendant-Appellant.

PEARLIE RUCKER; HERMAN WALKER;
WILLIE LEE; BARBARA HILL,
Plaintiffs-Appellees.

v.

HAROLD DAVIS; OAKLAND HOUSING

AUTHORITY,
Defendants-Appellants,

U.S. DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT,
Defendant.

Filed August 18, 2000

Before: Procter Hug, Jr., Chief Judge.

No. 98-16322

D.C. No.
CV-98-00781-CRB

No. 98-16542

D.C. No.
CV-98-00781-CRB

ORDER

ORDER

Upon the vote of a majority of nonrecused regular active judges of this court,¹ it is ordered that this case be reheard by the en banc court pursuant to Circuit Rule 35-3. The three-judge panel opinion shall not be cited as precedent by or to this court or any district court of the Ninth Circuit, except to the extent adopted by the en banc court.

¹ Judges Wardlaw and Fisher were recused.