

**FOR PUBLICATION**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE NINTH CIRCUIT**

In re: RODEO CANON DEVELOPMENT  
CORPORATION,  
*Debtor.*

WILLIAM WARNICK; ANN WARNICK,  
individually and as Trustees of the  
William and Ann Warnick Family  
Living Trust; ALAN WARNICK; JILL  
WARNICK,  
*Appellants-Cross-Appellees,*

v.

FRED YASSIAN; BEVERLY RODEO  
DEVELOPMENT CORPORATION,  
*Appellees-Cross-Appellants.*

Nos. 02-56999  
02-57203  
BAP No.  
CC-01-01428  
MaMoP  
ORDER

Appeal from the Ninth Circuit  
Bankruptcy Appellate Panel  
Marlar, Montali and Perris, Judges, Presiding

Filed March 8, 2005

Before: Alex Kozinski and John T. Noonan, Circuit Judges,  
and William W Schwarzer,\* Senior District Judge.

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**ORDER**

The opinion filed March 30, 2004, is withdrawn.

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\*The Honorable William W Schwarzer, Senior United States District  
Judge for the Northern District of California, sitting by designation.

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