FOR PUBLICATION

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

XILINX, INC., AND CONSOLIDATED SUBSIDIARIES, <i>Petitioner-Appellee</i> , v. Commissioner of Internal Revenue, <i>Respondent-Appellant</i> .	No. 06-74246 Tax Ct. No. 702-03 Northern District of California, San Francisco
Xilinx, Inc., and Consolidated	No. 06-74269
Subsidiaries,	Tax Ct. No.
<i>Petitioner-Appellee,</i>	4142-01
v.	Northern District of
Commissioner of Internal	California,
Revenue,	San Francisco
<i>Respondent-Appellant</i> .	ORDER

Filed January 13, 2010

Before: Stephen Reinhardt, John T. Noonan, and Raymond C. Fisher, Circuit Judges.

ORDER

The opinion and dissent filed on May 27, 2009 are hereby WITHDRAWN.