

FOR PUBLICATION

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

CHAMBER OF COMMERCE OF
THE UNITED STATES OF
AMERICA; CALIFORNIA
CHAMBER OF COMMERCE;
NATIONAL RETAIL
FEDERATION; CALIFORNIA
RETAILERS ASSOCIATION;
NATIONAL ASSOCIATION OF
SECURITY COMPANIES; HOME
CARE ASSOCIATION OF
AMERICA; CALIFORNIA
ASSOCIATION FOR HEALTH
SERVICES AT HOME,
Plaintiffs-Appellees,

v.

ROB BONTA, in his official
capacity as the Attorney
General of the State of
California; LILIA GARCIA-
BROWER, in her official
capacity as the Labor
Commissioner of the State of
California; JULIE A. SU, in her
official capacity as the
Secretary of the California
Labor and Workforce
Development Agency; KEVIN

No. 20-15291

D.C. No.
2:19-cv-02456-KJM-DB

ORDER

RICHARD KISH, in his official capacity as Director of the California Department of Fair Employment and Housing of the State of California,
Defendants-Appellants.

Filed August 22, 2022

Before: Carlos F. Lucero,* William A. Fletcher, and
Sandra S. Ikuta, Circuit Judges.

Order

ORDER

A majority of the panel has voted sua sponte to grant panel rehearing. Judge Fletcher and Judge Ikuta voted in favor of rehearing, and Judge Lucero voted against rehearing. The opinion and dissent filed on September 15, 2021, Dkt. 38, are withdrawn, and the case is resubmitted. The petition for rehearing en banc, Dkt. 41, is **DENIED** as moot.

* The Honorable Carlos F. Lucero, United States Circuit Judge for the U.S. Court of Appeals for the Tenth Circuit, sitting by designation.