

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

JUN 3 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

AMERICAN NEWS AND
INFORMATION SERVICES, INC., a
Connecticut corporation; EDWARD
PERUTA; JAMES C. PLAYFORD,

Plaintiffs-Appellants,

v.

WILLIAM D. GORE, individually and in
his official capacity as San Diego County
Sheriff; JAN CALDWELL, individually and
in her official capacity as San Diego County
Sheriffs Department Public Affairs Director;
THOMAS SEIVER, San Diego County
Sheriffs Department Deputy, individually;
BRENDAN COOK, San Diego County
Sheriffs Department Deputy, individually;
JESSE ALLENSWORTH, San Diego
County Sheriffs Department Deputy,
individually; JAMES BRENEMAN, San
Diego County Sheriffs Department Deputy,
individually; MICHAEL PROCTOR, San
Diego County Sheriffs Department Deputy,
individually; SAN DIEGO COUNTY
SHERIFF'S DEPARTMENT; WILLIAM
LANSLOWNE, individually and in his
official capacity as San Diego Police Chief;
SAN DIEGO POLICE DEPARTMENT;
BONNIE DUMANIS, Individually and in
her official capacity as San Diego County
District Attorney; SAN DIEGO COUNTY
DISTRICT ATTORNEY'S OFFICE,
individually; JOHN DOE 1-10; CITY OF
SAN DIEGO; COUNTY OF SAN DIEGO,

No. 16-55770

D.C. No.
3:12-cv-02186-BEN-KSC
Southern District of California,
San Diego

ORDER

Defendants-Appellees.

Before: WARDLAW and HURWITZ, Circuit Judges, and KORMAN,* District Judge.

The parties are ordered to file supplemental letter briefs of less than ten pages as to the effect, if any, of the Supreme Court's decision in *Nieves v. Bartlett*, No. 17-1174, 2019 WL 2257157 (U.S. May 28, 2019) on this appeal within 21 days of this order.

IT IS SO ORDERED.

* The Honorable Edward R. Korman, United States District Judge for the Eastern District of New York, sitting by designation.