

 [West Reporter Image \(PDF\)](#)

441 F.3d 1029

[Briefs and Other Related Documents](#)

United States Court of Appeals,
Ninth Circuit.

John DOE, a minor, by his mother and next friend, Jane DOE nfr Jane Doe, Plaintiff-Appellant,
and

Josephine Helelani Pauahi Rabago, Intervenor,

v.

KAMEHAMEHA SCHOOLS/BERNICE PAUAHI BISHOP ESTATE; Constance Lau, in her capacity as Trustee of the **Kamehameha Schools**/Bernice Pauahi Bishop Estate; Nainoa Thompson, in his capacity as Trustee of the **Kamehameha Schools**/Bernice Pauahi Bishop Estate; Diane J. Plotts, in her capacity as Trustee of the **Kamehameha Schools**/Bernice Pauahi Bishop Estate; Robert K.U. Kihune, in his capacity as Trustee of the **Kamehameha Schools**/Bernice Pauahi Bishop Estate; J. Douglas Ing, in his capacity as Trustee of the **Kamehameha Schools**/Bernice Pauahi Bishop Estate, Defendants-Appellees.

No. 04-15044.

Feb. 22, 2006.

John W. Goemans, Esq., Kamuela, HI, Eric Grant, Esq., Attorney at Law, Sacramento, CA, for Plaintiff-Appellant.

Emmett B. Lewis, Miller & Chevalier, Chartered Metropolitan Square, Washington, DC, David Schulmeister, Esq., Cades, Schutte, Fleming and Wright, Honolulu, HI, Kathleen M. Sullivan, Stanford Law School, Stanford, CA, Jay L. Carlson, Esq., Crystal K. Rose, Esq., Bays, Deaver, Hiatt, Lung & Rose, Honolulu, HI, for Defendants-Appellees.

Before MARY M. SCHROEDER, Chief Judge.



ORDER

Upon the vote of a majority of nonrecused regular active judges of this court,^{FN1} 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.

FN1. Judge Clifton is recused.

Copr. (C) West 2006 No Claim to Orig. U.S. Govt. Works C.A.9,2006.
Doe ex rel. Doe v. Kamehameha Schools/Bernice Pauahi Bishop Estate
441 F.3d 1029

[Briefs and Other Related Documents \(Back to top\)](#)

- [2004 WL 1533743](#) (Appellate Brief) Appellant's Reply Brief (Jun. 03, 2004)  [Original Image of this Document \(PDF\)](#)
 - [2004 WL 1394616](#) (Appellate Brief) Appellees' Answering Brief (May. 18, 2004)  [Original Image of this Document with Appendix \(PDF\)](#)
 - [04-15044](#) (Docket) (Jan. 12, 2004)
- END OF DOCUMENT

 [West Reporter Image \(PDF\)](#)

(C) 2006 Thomson/West. No Claim to Orig. U.S. Govt. Works.