

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 15 2024

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

BRUCE GILLEY,

Plaintiff-Appellant,

v.

TOVA STABIN, in her individual capacity;
COMMUNICATION MANAGER OF THE
UNIVERSITY OF OREGON'S DIVISION
OF EQUITY AND INCLUSION, in his or
her official capacity,

Defendants-Appellees.

No. 23-35097

D.C. No. 3:22-cv-01181-HZ
District of Oregon,
Portland

ORDER

BRUCE GILLEY,

Plaintiff-Appellee,

v.

TOVA STABIN, in her individual capacity;
COMMUNICATION MANAGER OF THE
UNIVERSITY OF OREGON'S DIVISION
OF EQUITY AND INCLUSION, in his or
her official capacity,

Defendants-Appellants.

No. 23-35130

D.C. No. 3:22-cv-01181-HZ

Before: W. FLETCHER, R. NELSON, and COLLINS, Circuit Judges.

Judge R. Nelson and Judge Collins voted to deny both the petition for panel rehearing or rehearing en banc and the alternative request for publication. Dkt. No.

66. Judge W. Fletcher voted to grant the petition for panel rehearing and, if rehearing were denied, the alternative request for publication. He also recommended granting the petition for rehearing en banc. The full court has been advised of the petition for rehearing en banc, and no judge has requested a vote on whether to rehear the matter en banc. Fed. R. App. P. 35.

The petition for panel rehearing or rehearing en banc and the alternative request for publication are DENIED.