

FILED

UNITED STATES COURT OF APPEALS

NOV 06 2018

FOR THE NINTH CIRCUIT

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

DAVID H. PICKUP et al.,

Plaintiffs-Appellants,

v.

EDMUND G. BROWN, JR., Governor of  
the State of California, in his official  
capacity; et al.,

Defendants-Appellees,

and

EQUALITY CALIFORNIA,

Intervenor-Defendant-  
Appellee.

No. 12-17681

D.C. No.

2:12-cv-02497-KJM-EFB

Eastern District of California,  
Sacramento

ORDER

Before: GRABER, MURGUIA, and CHRISTEN, Circuit Judges.

Plaintiffs-Appellants' Motion to Recall Mandate, Docket Entry No. 140, is DENIED. See Calderon v. Thompson, 523 U.S. 538, 549–50 (1998) (recognizing a court of appeals' inherent power to recall a mandate but, because of the profound importance of repose, limiting the exercise of that power to "extraordinary circumstances"; and reversing this court's decision to recall a mandate).