

FILED

NOT FOR PUBLICATION

NOV 16 2011

UNITED STATES COURT OF APPEALS

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

FOR THE NINTH CIRCUIT

**VETERANS FOR COMMON SENSE, a
District of Columbia nonprofit
organization; VETERANS UNITED
FOR TRUTH, INC., a California
nonprofit organization, representing
their members and a class of all
veterans similarly situated,**

Plaintiffs - Appellants,

v.

**ERIC K. SHINSEKI, Secretary of
Veterans Affairs; UNITED STATES
DEPARTMENT OF VETERANS
AFFAIRS; JAMES P. TERRY,
Chairman, Board of Veterans' Appeals;
MICHAEL WALCOFF, Acting Under
Secretary, Veterans Benefits
Administration; BRADLEY G.
MAYES, Director, Compensation and
Pension Service; ROBERT A. PETZEL,
M.D., Under Secretary, Veterans Health
Administration; PRITZ K. NAVARA,
Veterans Service Center Manager,
Oakland Regional Office, Department
of Veterans Affairs; UNITED STATES
OF AMERICA,**

Defendants - Appellees.

No. 08-16728

D.C. No. 3:07-cv-03758-SC

ORDER

KOZINSKI, Chief Judge:

En banc oral argument will take place during the week of December 12, 2011, in San Francisco, California. The date and time will be determined by separate order. For further information or special requests regarding scheduling, please contact Deputy Clerk Paul Keller at paul_keller@ca9.uscourts.gov or (415) 355-8026.

Within seven days from the date of this order, the parties shall forward to the Clerk of Court twenty-five additional paper copies of the original briefs and excerpts of record.