

FILED

NOT FOR PUBLICATION
UNITED STATES COURT OF APPEALS

DEC 05 2012

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

FOR THE NINTH CIRCUIT

AL-HARAMAIN ISLAMIC
FOUNDATION, INC., an Oregon
Nonprofit Corporation; WENDELL
BELEW, a U.S. Citizen and Attorney at
Law; ASIM GHAFOR, a U.S. Citizen
and Attorney at Law,

Plaintiffs - Appellees,

v.

BARACK H. OBAMA, President of the
United States, in his official capacity;
NATIONAL SECURITY AGENCY;
KEITH B. ALEXANDER, Director of
NSA, in his official capacity; OFFICE OF
FOREIGN ASSETS CONTROL, of the
US Department of the Treasury; ADAM J.
SZUBIN, Director of OFAC, in his official
capacity; FEDERAL BUREAU OF
INVESTIGATION; ROBERT S.
MUELLER, III, Director of FBI, in his
official capacity,

Defendants - Appellants.

No. 11-15468

D.C. No. 3:07-cv-00109-VRW
Northern District of California,
San Francisco

ORDER

AL-HARAMAIN ISLAMIC
FOUNDATION, INC., an Oregon
Nonprofit Corporation,

Plaintiff,

No. 11-15535

D.C. No. 3:07-cv-00109-VRW
Northern District of California,
San Francisco

and

WENDELL BELEW, a U.S. Citizen and Attorney at Law; ASIM GHAFOR, a U.S. Citizen and Attorney at Law,

Plaintiffs - Appellants,

v.

BARACK H. OBAMA, President of the United States, in his official capacity; NATIONAL SECURITY AGENCY; KEITH B. ALEXANDER, Director of NSA, in his official capacity; OFFICE OF FOREIGN ASSETS CONTROL, of the US Department of the Treasury; ADAM J. SZUBIN, Director of OFAC, in his official capacity; FEDERAL BUREAU OF INVESTIGATION; ROBERT S. MUELLER, III, Director of FBI, in his official capacity,

Defendants - Appellees.

Before: PREGERSON, HAWKINS, and McKEOWN, Circuit Judges.

The opinion filed on August 7, 2012, and appearing at 690 F.3d 1089, is hereby amended. An amended opinion is filed concurrently with this order.

With these amendments, the panel has voted to deny the petition for panel rehearing and the petition for rehearing en banc.

The full court has been advised of the petition for rehearing and 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 and petition for rehearing en banc are DENIED. No further petitions for en banc or panel rehearing shall be permitted.