

FILED

UNITED STATES COURT OF APPEALS

SEP 18 2008

FOR THE NINTH CIRCUIT

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

JEANNE E. CALDWELL,

Plaintiff - Appellant,

v.

ROY L. CALDWELL, in his official capacity as Director of the University of California Museum of Paleontology; DAVID LINDBERG, in his official capacity as Chair of the Intergative Biology Department of the University of California-Berkeley; MICHAEL D. PIBURN, in his official capacity as Program Director for the National Science Foundation,

Defendants - Appellees.

No. 06-15771

D.C. No. CV-05-04166-PJH
Northern District of California,
San Francisco

ORDER

Before: B. FLETCHER and RYMER, Circuit Judges, and DUFFY,* District Judge.

Appellees' request for judicial notice filed December 29, 2006, is DENIED.

* The Honorable Kevin Thomas Duffy, Senior United States District Judge for the Southern District of New York, sitting by designation.