

NOV 05 2008

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

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

BERNIE ABEYTIA; et al.,

Plaintiffs- Appellants,

v.

STATE OF ARIZONA; et al.,

Defendants - Appellees,

YES ON PROPOSITION 200,

Defendant-intervenor -
Appellee.

No. 08-17094

D.C. Nos. 2:06-cv-01268-ROS
06-cv-01362-PCT-
JAT
06-cv-01575-PHX-
EHC
District of Arizona,
Phoenix

ORDER

THE INTER TRIBAL COUNCIL OF
ARIZONA, INC.; et al.,

Plaintiffs - Appellants,

v.

STATE OF ARIZONA; et al.,

Defendants - Appellees,

YES ON PROPOSITION 200,

Defendant-intervenor -
Appellee.

No. 08-17115

D.C. No. 2:06-cv-01268-ROS
District of Arizona,
Phoenix

Appellees' opposed motion to consolidate appeal nos. 08-17094 and 08-17115 is granted. Nos. 08-17094 and 08-17115 shall proceed as consolidated cases for the purpose of calendaring. The current briefing schedule in each appeal shall continue to govern that case.

For the Court:
MOLLY C. DWYER
Clerk of the Court

Alihandra M. Totor
Deputy Clerk
Ninth Cir. R. 27-7/Advisory Note to Rule 27
and Ninth Circuit Rule 27-10