

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 05-3093

**PLANNED PARENTHOOD MINNESOTA, NORTH DAKOTA, SOUTH DAKOTA and
Carol E. Ball, M.D.,**

Appellees

v.

**Mike Rounds, Governor, in his official capacity and Larry Long, Attorney General, in his
official capacity,**

Appellants

**Alpha Center, et al.,
Intervenors**

Appeal from U.S. District Court for the District of South Dakota
(CIV 05-4077 KES)

ORDER

Petitions for rehearing en banc, filed by the appellants and the intervenors, have been considered by the Court and are granted. The opinion and judgment of this Court filed on October 30, 2006, are vacated.

The argument will be scheduled as the second case on the morning on Wednesday, April 11, 2007, in St. Louis.

January 09, 2007

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans