

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

MAY 2 2023

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

ROGER PALMER; et al.,

Plaintiffs-Appellants,

v.

STEPHEN SISOLAK; et al.,

Defendants-Appellees,

and

JOSEPH LOMBARDO; et al.,

Defendants.

No. 22-15645

D.C. No.

3:21-cv-00268-MMD-CSD

District of Nevada,

Reno

ORDER

At oral argument, the parties shall be prepared to discuss whether it would be appropriate for this court—or the district court on any remand—to abstain from ruling on the Second Amendment issue for sections 3 and 3.5 in light of the pending litigation before the Nevada Supreme Court in *Sisolak v. Polymer80, Inc.*, No. 83999. *See R.R. Comm’n of Tex. v. Pullman Co.*, 312 U.S. 496 (1941).

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT