

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

XILINX, INC., AND CONSOLIDATED
SUBSIDIARIES,
Petitioner-Appellee,
v.
COMMISSIONER OF INTERNAL
REVENUE,
Respondent-Appellant.

No. 06-74246
Tax Ct. No.
702-03
Northern District of
California,
San Francisco

XILINX, INC., AND CONSOLIDATED
SUBSIDIARIES,
Petitioner-Appellee,
v.
COMMISSIONER OF INTERNAL
REVENUE,
Respondent-Appellant.

No. 06-74269
Tax Ct. No.
4142-01
Northern District of
California,
San Francisco
ORDER

Filed January 13, 2010

Before: Stephen Reinhardt, John T. Noonan, and
Raymond C. Fisher, Circuit Judges.

ORDER

The opinion and dissent filed on May 27, 2009 are hereby
WITHDRAWN.