



U.S. Department of Justice

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BY ECF AND E-MAIL

Hon. Dennis M. Cavanaugh, U.S.D.J.
U.S. District Court, District of New Jersey
Post Office Building & Federal Courthouse, Room 451
Newark, New Jersey 07101-0999

Re: United States v. Bergrin, Crim. No. 09-369 (DMC)

Dear Judge Cavanaugh:

The reply brief that this Court permitted Defendant Paul Bergrin to file in further support of his motion for reconsideration levels unsupported allegations of misconduct at both this Court and the trial AUSAs. The record puts the lie to those allegations, and so the Government will not burden this Court with a point-by-point rebuttal.

But because sentencing has been adjourned until September 23, 2013, the Government respectfully requests that this Court consider Bergrin's reply brief on the merits and hold that it does not affect this Court's August 22, 2013 ruling denying Bergrin's reconsideration motion.

Respectfully submitted,

PAUL J. FISHMAN
United States Attorney

By: s/ STEVEN G. SANDERS
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cc: Lawrence S. Lustberg, Esq.
(all by ECF & e-mail)