

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA :  
 :  
 : Criminal No. 09-369  
 v. :  
 :  
 : **ORDER ON MANDATE**  
 :  
 PAUL W. BERGRIN, :  
 :  
 Defendant. :

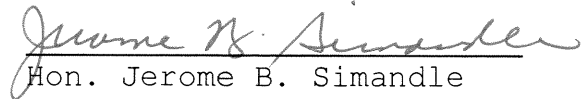
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**THIS MATTER** having come before the Court upon its own motion;  
**IT APPEARING TO THE COURT** that the Third Circuit Court of Appeals issued a certified Judgment in lieu of a formal mandate on July 30, 2012 directing that the decision to exclude evidence from the retrial of Counts Twelve and Thirteen of the Indictment issued by the District Court on November 23, 2011, be vacated in part; and further directing that the case be reassigned to a different Judge to preside over all additional proceedings; and the Court having conducted a random selection of the new judge;

**IT IS this 2<sup>nd</sup> day of August, 2012 hereby ORDERED** that the decision to exclude evidence from the retrial of Counts Twelve and Thirteen of the Indictment issued by the District Court on November 23, 2011, be and the same is hereby **VACATED** in part; and

**IT IS FURTHER ORDERED** that the case be reassigned to a different Judge to preside over all additional proceedings; and

**IT IS THEREFORE ORDERED** that the case be reassigned to the Honorable Dennis M. Cavanaugh.

  
Hon. Jerome B. Simandle  
Chief Judge