



LAWRENCE S. LUSTBERG
Director

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
Direct: (973) 596-4731 Fax: (973) 639-6285
llustberg@gibbonslaw.com

February 19, 2019

By ECF

Honorable Jose L. Linares
Chief Judge, United States District Court
for the District of New Jersey
Martin Luther King, Jr.
Federal Building & Courthouse
50 Walnut Street, P.O. Box 999
Newark, NJ 07101-0999

Re: *United States v. Bergrin*
No. 09-cr-369 (JLL)

Dear Chief Judge Linares:

We write with regard to Defendant Paul Bergrin's *pro se* Letters to the Court (ECF 689-90) filed January 16, 2019. Counsel for Mr. Bergrin were unaware of this filing until it was docketed. In the present Rule 33 proceedings, this Court, on April 4, 2016, and with the consent of the parties, specifically ordered that "there shall be no hybrid representation" and "no consideration shall be given to any *pro se* submission by Bergrin." (ECF 626 ¶ 2). Accordingly, upon receipt of this filing, we made arrangements to speak to Mr. Bergrin at the earliest possible juncture, and did speak to him February 13, 2019, and with his express consent, respectfully request that Bergrin's *pro se* submissions be stricken from the record, and to the extent applicable, considered only in accordance with Bergrin's separate proceeding under 28 U.S.C. § 2255, Docket Number 16-cv-3040, as to which we are not his counsel. Further, we wish to alert the Court that we have again advised Mr. Bergrin that he is not permitted to file *pro se* submissions in this matter, and counseled him against doing so going forward.

Thank you for your kind consideration throughout the course of this matter. If the Court has any questions, requires a more formal application, or wishes to address further any aspect of this matter, please do not hesitate to contact me.

Respectfully submitted,

/s/ Lawrence S. Lustberg
Lawrence S. Lustberg

cc: Mark E. Coyne, Esq. (by ECF and Email)