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FILED VIA ECF

Honorable Dennis M. Cavanaugh
United States District Judge
U.S. Post Office & Courthouse Building, Room 451
P.O. Box 999
Newark, New Jersey 07101-0999

Re: United States v. Paul W. Bergrin,
Docket No. 09-369

Dear Judge Cavanaugh:

As Your Honor is aware, on June 17, 2013, this Firm, in its role as standby counsel in the above-captioned matter, wrote on behalf of defendant Paul Bergrin to advise the Court that, in accordance with Standing Order 00-1, the date for sentencing in this matter would have to be postponed at least until August 9, 2013. On June 25, 2013, the Court rescheduled the date for sentencing for August 8, 2013. Regrettably, as the Court could not have known, I am not available that week, as a result of pre-arranged and prepaid travel plans.

In light of this scheduling conflict, we most respectfully request that the sentencing be rescheduled for the following week, on any date from Monday, August 12, 2013 through Wednesday, August 14, 2013, or on Friday, August 16, 2013. (As it happens, on Thursday, August 15, 2013, I am scheduled to appear for oral argument in Mercer County Superior Court in *Garden State Equality, et al. v. Dow, et al.*, Docket No. MER L-1729-11.) We have spoken to Assistant U.S. Attorney Steven G. Sanders, on behalf of the United States, who reports that the Government, graciously, does not oppose this request and is available that week as well.

Of course, if the Court has any questions or concerns, please do not hesitate to contact me. Thank you for your kind consideration of this request.

Respectfully submitted,

s/ Lawrence S. Lustberg

Lawrence S. Lustberg
Standby Counsel for Defendant Paul W. Bergrin

cc: Steven G. Sanders, Assistant U.S. Attorney (via email)
Paul W. Bergrin