

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 09-2781

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NEW JERSEY PEACE ACTION; PAULA ROGOVIN;  
ANNA BERLINRUT; WILLIAM JOSEPH WHEELER,  
Appellants

v.

BARACK H. OBAMA, President of the United States, in his Official Capacity

(Pursuant to F.R.A.P. 43(c))

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(D.C. Civil Action No. 2-08-cv-02315)

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Before: Before: McKEE, Chief Judge, SLOVITER, SCIRICA, RENDELL, BARRY,  
AMBRO, FUENTES, SMITH, FISHER, CHAGARES, JORDAN, HARDIMAN,  
GREENAWAY, and VANASKIE, Circuit Judges,  
and JONES, \* District Judge

**PETITION FOR REHEARING *EN BANC***

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The petition for rehearing filed by Appellant having been submitted to the judges who participated in the decision of this Court, and to all the other available circuit judges in active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the circuit judges of the circuit in regular active service not having voted for rehearing by the court *en banc*, the petition for rehearing is DENIED.

By the Court,

/s/ Thomas L. Ambro, Circuit Judge

Dated: July 7, 2010

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\*The Honorable John E. Jones, III, United States District Judge for the Middle District of Pennsylvania, sitting by designation and limited to panel rehearing only.

CJG/cc: Frank Askin, Esq.  
Bennet D. Zurofsky, Esq.  
Michael P. Abate, Esq.  
Mark B. Stern, Esq.