

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos. 14-4546, 14-4568 & 14-4569

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NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, an unincorporated association; NATIONAL BASKETBALL ASSOCIATION, a joint venture; NATIONAL FOOTBALL LEAGUE, an unincorporated association; NATIONAL HOCKEY LEAGUE, an unincorporated association; OFFICE OF THE COMMISSIONER OF BASEBALL, an unincorporated association doing business as MAJOR LEAGUE BASEBALL

v.

GOVERNOR OF THE STATE OF NEW JERSEY; DAVID L. REBUCK, Director of the New Jersey Division of Gaming Enforcement and Assistant Attorney General of the State of New Jersey; FRANK ZANZUCCKI, Executive Director of the New Jersey Racing Commission; NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC.; NEW JERSEY SPORTS & EXPOSITION AUTHORITY

STEPHEN M. SWEENEY, President of the New Jersey Senate;  
VINCENT PRIETO, Speaker of the New Jersey General Assembly  
(Intervenors in District Court)

Governor of New Jersey; David L. Rebeck; Frank Zanzuccki,  
Appellants in No. 14-1546

Stephen M. Sweeney, President of the New Jersey Senate  
Vincent Prieto, Speaker of the New Jersey General Assembly;  
Appellants in No. 14-4568

New Jersey Thoroughbred Horsemen's Association, Inc.,  
Appellant in No. 14-4569

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On Appeal from the United States District Court  
for the District of New Jersey

(District Court No.: 3-14-cv-06450)

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ORDER SUR PETITIONS  
FOR REHEARING EN BANC

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Present: AMBRO, FUENTES, SMITH, FISHER, JORDAN, HARDIMAN,  
GREENAWAY, JR., VANASKIE, KRAUSE, RENDELL, and BARRY,\* Circuit Judges

A majority of the active judges having voted for rehearing en banc in the above captioned cases, it is ordered that the petitions for rehearing are GRANTED. The Clerk of this Court shall list the case for rehearing en banc at the convenience of the Court. The opinion and judgment entered August 25, 2015 are hereby vacated.

BY THE COURT,

s/ Marjorie O. Rendell  
Circuit Judge

Dated: October 14, 2015  
cc: all counsel of record

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\* The Honorable Marjorie O. Rendell and Honorable Maryanne Trump Barry will participate as members of the en banc court pursuant to 3d. Cir. I.O.P. 9.6.4.