

**PRECEDENTIAL**

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 24-1420

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RAYMOND LOFSTAD; GUS LOVGREN,  
Appellants

v.

GINA RAIMONDO, in her official capacity as Secretary of the United States Department of Commerce; JANET COIT, in her official capacity as Assistant Administrator of the National Marine Fisheries Service; NATIONAL MARINE FISHERIES SERVICE

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On Appeal from the United States District Court  
for the District of New Jersey  
(D.C. No. 3:22-cv-07360)  
District Judge: Honorable Robert Kirsch

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Argued: July 10, 2024

Before: BIBAS, FREEMAN, and RENDELL, *Circuit Judges*

**ORDER**

The opinion filed September 25, 2024 is hereby vacated. The Clerk shall file the amended opinion, which includes changes to Section II of the September 25 opinion. As the changes do not affect the judgment, the time for filing the petition for rehearing remains the same.

By the Court,

s/ Stephanos Bibas  
Circuit Judge

Dated: September 26, 2024  
cc: All Counsel of Record