

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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Nos.:13-1713, 13-1714, 13-1715

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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;

UNITED STATES OF AMERICA (Intervenor in the District Court),

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 ZANZUCCI, Executive Director of the New Jersey Racing Commission;

Defendants-Appellants in No. 13-1715;

STEPHEN M. SWEENEY; SHEILA Y. OLIVER,

Intervenor-Defendants in the District Court and  
Appellants in No. 13-1713;

NEW JERSEY THOROUGHBRED HORSEMEN'S ASSOCIATION, INC.

Intervenor-Defendant in the District Court and Appellant in No. 13-1714

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(D. NJ. No. 3-12-cv-04947)

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SUR PETITION FOR REHEARING

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Present: McKEE, Chief Judge, RENDELL, AMBRO, FUENTES, SMITH, FISHER, JORDAN, HARDIMAN, GREENAWAY, JR., and VANASKIE, Circuit Judges

The petition for rehearing filed by the Governor of the State of New Jersey, David L. Rebeck, Frank Zanzuccki, New Jersey Thoroughbred Horsemen's Association, Inc., and Sheila Y. Oliver and Stephen M. Sweeney, **appellants** in the above-entitled cases having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petitions for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

*/s/ Julio M. Fuentes*

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Circuit Judge

Dated: November 15, 2013  
tyw/cc: All Counsel of Record