

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 15-2475

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IN RE: GRAND JURY MATTER #3

John Doe,  
Appellant

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(No. 2:14-gj-631-3)  
District Judge: Honorable R. Barclay Surrick

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Argued: January 12, 2016

Before: McKEE, AMBRO, and SCIRICA, Circuit Judges

**ORDER RE PETITION FOR REHEARING**

The petition for panel rehearing filed by Appellant, in the above entitled case having been submitted to the judges who participated in the decision of this Court, it is hereby ORDERED that the petition for rehearing by the panel is granted. The opinion and judgment entered October 28, 2016 are hereby VACATED.<sup>1</sup> A substitute opinion and judgment are being filed with this Order.

By the Court,

s/ Thomas L. Ambro, Circuit Judge

Dated: January 27, 2017  
cc: All Counsel of Record

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<sup>1</sup> As the merits panel has vacated the prior opinion and judgment, action is not required by the en banc court.