

FEB 26 2014

SUE REGAN
DEPUTY CLERK OF SUPERIOR COURT

This action having been opened to this Court by John J. Hoffman, Acting Attorney General of New Jersey, (Steven A. Yomtov, Deputy Attorney General, appearing) for forfeiture of public office and position and permanent disqualification from public office, and forfeiture of all pension or retirement benefits earned as a member of any State or locally-administered pension fund or retirement system in which defendant, Tony F. Mack, participated at the time of the commission of his crimes and which covered his position as Mayor of the City of Trenton, and defendant having been found guilty in the United States District Court for the District of New Jersey by a jury verdict entered February 7, 2014, of violating 18 U.S.C. § 1951(a) and

(b) (2); 18 U.S.C. § 666(a) (1) (B) and Section 2, and 18 U.S.C. §§ 1341, 1343, and 1346, and the crimes of which Tony F. Mack was found guilty: (1) constituting offenses involving dishonesty; and (2) being equivalent to at least third-degree crimes under New Jersey law; and (3) being offenses that involved or touched upon his office as Mayor of the City of Trenton, New Jersey; and (4) constituting crimes substantially similar to crimes enumerated under N.J.S.A. 43:1-3.1b, e.g., theft by extortion (N.J.S.A. 2C:20-5), bribery in official matters (N.J.S.A. 2C:27-2); and official misconduct (N.J.S.A. 2C:30-2);

IT IS ON THIS 26th day of February, 2014, ORDERED, that Tony F. Mack, forfeit any public employment, office or position held by him, including but not limited to his former position as Mayor of the City of Trenton, New Jersey.

IT IS FURTHER ORDERED, that Tony F. Mack is forever disqualified from holding any office or position of honor, trust, or profit under this State or any of its administrative or political subdivisions, pursuant to N.J.S.A. 2C:51-2d.

IT IS FURTHER ORDERED, that Tony F. Mack forfeit all pension or retirement benefits earned as a member of any State or locally-administered pension fund or retirement system in which defendant participated at the time of the commission of his crimes and which covered his position as Mayor, pursuant to N.J.S.A. 43:1-3.1a. The forfeiture of all pension and retirement benefits shall only apply to the employer's contributions

pursuant to N.J.S.A. 43:15C-3b, and not the employee's contributions pursuant to N.J.S.A. 43:15C-3a, as determined by the New Jersey Division of Pensions and Benefits.

IT IS FURTHER ORDERED that the above forfeiture of public office and permanent disqualification from holding any public office or position, and order of forfeiture of all pension or retirement benefits earned, is deemed to have taken effect on February 7, 2014 (the date of defendant's federal convictions), unless and until Tony F. Mack successfully overturns all his federal convictions on appeal to the Circuit Court of Appeals for the Third Circuit or the Supreme Court of the United States, *or the guilty verdict is vacated by the United States District Court.*

Mary C. Jacobson, A.J.S.C.
Hon. Mary C. Jacobson, A.J.S.C.