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## Reporters Are Fined for Talking to Ex-Jurors

By ROBERT HANLEY

**F**our reporters for The Philadelphia Inquirer were fined \$1,000 each yesterday and three of them were sentenced to community service for violating a trial judge's order barring reporters from identifying or contacting jurors after a murder trial of a rabbi in Camden last fall.

The unusual order made a crime of a common news-gathering tactic, interviewing jurors about their deliberations, and threatened a penalty of six months in jail for contempt of court. Before he imposed more lenient penalties yesterday, Judge Theodore Z. Davis, of New Jersey Superior Court in Camden, called the case a conflict between two of society's major institutions, the judiciary and the press, and scolded the reporters for defying the court.

"If the media has the right to basically say, 'We don't care about your order, we're going to do it our way,' it's sheer anarchy," Judge Davis said. "In life, as in law, a line must be drawn."

Floyd Abrams, a Manhattan lawyer and First Amendment expert, called the ban on publication of a juror's name after a trial virtually unprecedented and said the order barring communication with former jurors was "contrary to general rules adopted by courts elsewhere."

He said that "the perpetuation of a news-gathering ban after the trial was over was unjustified" and a disservice to "deeply rooted First Amendment interests."

The editor of The Inquirer, Walker Lundy, said the newspaper would appeal. "I am stunned that a reporter would be sentenced to jail for asking a question," he said.

The order was issued in July by Judge Linda G. Baxter, who presided over the trial of the rabbi, Fred J. Neulander of Cherry Hill, on charges of arranging the killing of his wife, Carol, in 1994.

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Later, Judge Baxter repeatedly refused to relax the order, even after she declared a mistrial because the jury was deadlocked. She said she was leaving the order intact to protect jurors' privacy and ensure that an impartial jury can be selected for a second trial, now scheduled for September.

In April, New Jersey's Supreme Court threw out the ban on naming the jurors but upheld the edict against contacting jurors until after the second trial, in order to protect the rabbi's right to a fair trial.

Contempt proceedings started against the four reporters — Joseph Gambardello, George Anastasia, Dwight Ott and Emilie Lounsberry — soon after their bylines appeared on a front-page story on Nov. 16 that identified the jury's forewoman and quoted an unnamed juror.

In a contempt hearing last month, three jurors and other witnesses testified that all but Mr. Gambardello had tried to interview jurors. Ms. Lounsberry and Mr. Ott were sentenced to 10 days of community service and Mr. Anastasia to 5 days.

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