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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DONALD B. HATTON,

Plaintiff,

v.

BANK OF AMERICA,

Defendant.

NO. CIV. S-06-1888 FCD/GGH

ORDER

It appearing to the undersigned, the judge to whom this case is presently assigned for all purposes, that the provisions of § 455 of Title 28 of the United States Code mandate the disqualification of the undersigned;

IT IS HEREBY ORDERED that:

1. The undersigned recuses himself as the judge to whom this case is assigned;
2. All currently scheduled dates in the above-captioned action are **VACATED**; and
3. Attached is the scheduling order before the newly assigned judge.

IT IS SO ORDERED.

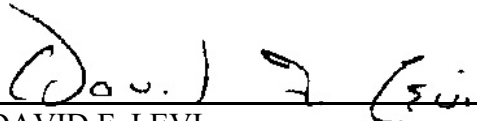
DATED: September 1, 2006

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL, Jr.
UNITED STATES DISTRICT COURT

1 This case is reassigned to United States District Judge Garland E. Burrell, Jr.

2 IT IS SO ORDERED.

3 DATED: 9/1/2006

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7 DAVID F. LEVI
8 United States District Judge
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