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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MICHAEL A. BRUZZONE,  
Plaintiff,

No. C 14-01279 WHA

v.

INTEL CORPORATION and ARM, INC.,  
Defendants.

**ORDER DENYING  
THIRD MOTION TO  
DISQUALIFY JUDGE**

An August 19, 2014 order granted Intel Corporation’s motion to declare *pro se* Michael Bruzzone a vexatious litigant (Dkt. No. 88). Although Bruzzone repeatedly described himself as a “relator” charged with investigating alleged antitrust and espionage violations in the microprocessor industry, he is not a “relator” and the United States is *not* a party to this action. Bruzzone has filed numerous motions seeking reconsideration of that order, each of which has been denied. Bruzzone also moved to disqualify the undersigned judge pursuant to Section 144 of Title 28 of the United States Code. As required by Section 144, that motion was referred to another judge, who denied it (Dkt. No. 58). Bruzzone filed a second motion under Section 144, which was denied because a party may only file one motion under Section 144 per case (Dkt. No. 108).


Bruzzone now moves to disqualify the undersigned judge from this matter under Sections 455(a) and 455(b)(1) of Title 28 of the United States Code and Section 1001(a) of Title 18 of the United States Code. Section 455(a) provides that a judge should disqualify himself from a proceeding “in which his impartiality might reasonably be questioned.” Section 455(b)(1) provides that a judge should also disqualify himself where he has a “personal bias or

1 prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning  
2 the proceeding . . . .” Section 1001 provides for fines and imprisonment for fraudulent conduct  
3 in government matters. Neither Section 455 nor Section 1001 requires a motion to be referred  
4 to another judge. Bruzzone’s recourse, which he has already exhausted, was to file a motion  
5 under Section 144.

6 Bruzzone’s motion is **DENIED**.

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8 **IT IS SO ORDERED.**

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10 Dated: November 30, 2015.

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13 WILLIAM ALSUP  
14 UNITED STATES DISTRICT JUDGE  
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