

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Wiley Y. Daniel

Civil Action No. 06-cv-02268-WYD-MEH

APOGEE SCIENTIFIC, INC., a Colorado Corporation,

Plaintiff,

v.

THERMO ELECTRON CORPORATION, a Delaware Corporation,

Defendant.

ORDER

This matter is before me on a review of the file. My daughter is an associate at the law firm of Faegre & Benson, counsel for Plaintiff Apogee Scientific, Inc. For this reason, I believe that it would be inappropriate for me to preside over this case.

Accordingly, I should recuse myself. It is therefore

ORDERED that the judge's file be returned to the clerk and that the case be reassigned by random draw.

Dated: November 21, 2006

BY THE COURT:

s/ Wiley Y. Daniel

Wiley Y. Daniel

U. S. District Judge