

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 07-cv-00968-REB-MEH

TRUDIE M. ISKOWITZ, as surviving spouse and personal representative, and as administratrix of the estate of Aaron R. Iskowitz, deceased; and as natural guardian and on behalf of Ryan A. Iskowitz and Nathan O. Iskowitz, minors and natural children of Aaron R. Iskowitz, deceased;

Plaintiff(s),

v.

CESSNA AIRCRAFT COMPANY, a Kansas corporation;
MARTINAIR INCORPORATED, a Virginia corporation;
JOHN DOE(S) #1-10, unknown persons, corporations, partnerships, political subdivisions, or other entities responsible for the injuries to, and wrongful death of, Aaron R. Iskowitz, or for the conduct of the defendants named herein;
GOODRICH CORPORATION, a New York corporation;
THE UNITED STATES OF AMERICAN, including its agency the
FEDERAL AVIATION ADMINISTRATION, and its agents
RANDY NEU,
BRUCE SIENKO,
JAMES KADRMAS, and
JOHN DOE(S) #11-12, unknown Air Traffic Controllers employed by the Federal Aviation Administration, responsible for the injuries to, and wrongful death of, Aaron R. Iskowitz, or for the conduct of the defendants named herein;

Defendant(s).

**ORDER OF RECUSAL
AND VACATING CONFERENCE**

Entered by Michael E. Hegarty, United States Magistrate Judge.

Pursuant to 28 U.S.C. §455(a), a Magistrate Judge “shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” Because I am close friends with Mark S. Pestal, counsel of record for some of the Defendants, I will recuse myself. *See United States v. Murphy*, 768 F.2d 1518 (7th Cir. 1985) (if an objective observer reasonably could question the ability of the judge to act with disinterest and aloofness based upon a friendship with the prosecutor, recusal

is appropriate). Consistent with this case law, I hereby recuse myself from service in this matter. I direct the Clerk of the Court to cause this matter to be reassigned by random draw to another Magistrate Judge.

Accordingly, the Scheduling Conference set for August 16, 2007, at 9:15 a.m., is hereby **vacated.**

DATED at Denver, Colorado, this 21st day of May, 2007.

BY THE COURT:

s/ Michael E. Hegarty
Michael E. Hegarty
United States Magistrate Judge