

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Magistrate Judge Kathleen M. Tafoya

Civil Action No. 07-cv-01908-MSK-KMT

AIG ANNUITY INSURANCE COMPANY

Plaintiff,

v.

LAW OFFICES OF THEODORE COATES, P.C.,
DONALD J. EGAN, M.D.,
KRISTI S. BENNETT, and
MARC E. BENNETT,

Defendants.

ORDER OF RECUSAL

This matter comes before me *sua sponte*. To eschew the appearance of impropriety, I conclude that I must recuse myself from this case.

Title 28 U.S.C.A. § 455(a) provides, “(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.” *See United States v. Pearson*, 203 F.3d 1243, 1264 (10th Cir. 2000). However, a “judge should not recuse himself on unsupported, irrational, or highly tenuous speculation.” *Hinman v. Rogers*, 831 F.2d. 937, 939 (10th Cir. 1987).

I previously held a settlement conference in this case during which I conversed with all the parties and their counsel for several hours. Since that conference, several events have

affected the posture of the case. As a result of the previous interactions with counsel, and only as it relates to this unique case, the court's impartiality might reasonably be questioned.

Requirements of confidentiality prohibit further explanation regarding the necessity of recusal.

Therefore, it is **ORDERED**:

Pursuant to 28 U.S.C. § 455(a), I hereby **RECUSE** myself from all further involvement in this case. The Clerk's Office shall randomly draw and assign another Magistrate Judge to this case.

Dated this 12th day of January, 2009.

BY THE COURT:



Kathleen M. Tafoya
United States Magistrate Judge