

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Honorable Marcia S. Krieger

Civil Action No. 09-cv-00165-MSK

NORINE BERKEY,

Plaintiff,

v.

AETNA LIFE INSURANCE COMPANY;  
THE EMPLOYEE BENEFITS ADMINISTRATION COMMITTEE OF QUEST  
DIAGNOSTICS INCORPORATED; and  
METWEST, INC.,

Defendants.

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**ORDER OF RECUSAL**

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THIS MATTER arises *sua sponte*. The undersigned finds that grounds exist pursuant to 28 U.S.C. § 455 and the CODE OF CONDUCT FOR UNITED STATES JUDGES which require her recusal in this matter. In particular, an attorney appearing on behalf of one of the parties in this case is associated with the undersigned. Accordingly, it is

**ORDERED** that the undersigned judge hereby recuses herself from hearing this matter. The Clerk shall randomly reassign this case to another judge of this Court and shall appropriately adjust the “draw” of future cases.

DATED this 28<sup>th</sup> day of January, 2009.

**BY THE COURT:**



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Marcia S. Krieger  
United States District Judge