

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

Civil Action No. 09-cv-01862-MSK

WILDEARTH GUARDIANS, a New Mexico non-profit corporation,

Plaintiff,

v.

PUBLIC SERVICE COMPANY OF COLORADO, d/b/a XCEL ENERGY,

Defendant.

ORDER OF RECUSAL

THIS MATTER arises *sua sponte*. The undersigned is a beneficiary of a trust whose assets include shares in one of the parties. Accordingly, the undersigned has a financial interest in a party to the proceeding, and 28 U.S.C. § 455(b)(4) and the CODE OF CONDUCT FOR UNITED STATES JUDGES require her recusal in this matter

Accordingly, the undersigned hereby **RECUSES** herself from hearing this matter.

The Clerk shall randomly reassign this case to another judge of this Court.

DATED this 17th day of August, 2009.

BY THE COURT:



Marcia S. Krieger
United States District Judge