

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 11-cv-01268-WYD-MEH

GEORGE FARMER (a/k/a George L. Farmer),

Plaintiff,

v.

BANCO POPULAR OF NORTH AMERICA, and
JOHN DOES 1-100,

Defendants.

ORDER OF RECUSAL

Michael E. Hegarty, United States Magistrate Judge.

Pursuant to 28 U.S.C. §455(a), a Magistrate Judge shall disqualify himself under the following circumstance:

Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

On January 11, 2013, I issued a Recommendation in this case that Defendant's motion to enforce a settlement agreement be granted. Having presided over numerous discussions culminating in the settlement agreement, and being firmly convinced that the parties reached a mutual agreement, I have determined that, although I do not have an actual bias or prejudice in this matter, my impartiality might reasonably be questioned. In addition, in the likely event of an objection to my Recommendation, I may be called as a witness in this matter in any hearing held by Judge Daniel.

Consequently, in an effort to serve the ends of justice and to avoid any appearance of impropriety, 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.

Dated and entered at Denver, Colorado, this 14th day of January, 2013.

BY THE COURT:

A handwritten signature in black ink that reads "Michael E. Hegarty". The signature is written in a cursive style with a large initial 'M' and 'H'.

Michael E. Hegarty
United States Magistrate Judge