IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Judge Philip A. Brimmer

Civil Action No. 13-cv-02005-PAB-KLM

MICHAEL HESS,

Plaintiff,

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LEVEL 3 COMMUNICATIONS, LLC,

Defendant.

ORDER OF RECUSAL

This matter is before me on review of the file. One of my sisters is a partner at the law firm of Holland & Hart, counsel for defendant. For this reason, it would be inappropriate for me to preside over this case. Accordingly, I will recuse myself. It is therefore

ORDERED that the judge's file be returned to the clerk's office for the case to be reassigned by random draw.

DATED August 30, 2013.

BY THE COURT:

s/Philip A. Brimmer
PHILIP A. BRIMMER
United States District Judge