

discharging their judicial functions. This is achieved through training, professional habits, self-discipline and that fortunate alchemy by which men are loyal to the obligation with which they are entrusted. But it is also true that reason cannot control the subconscious influence of feelings of which it is unaware. When there is ground for believing that such unconscious feelings may operate in the ultimate judgment, *or may not unfairly lead others to believe they are operating*, judges recuse themselves. They do not sit in judgment. They do this for a variety of reasons. The guiding consideration is that the administration of justice should reasonably appear to be disinterested as well as be so in fact.

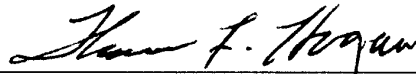
Public Utils. Comm'n of D.C. v. Pollak, 343 U.S. 451, 466-67 (1952) (Frankfurter, J., recusing) (emphasis added). Given that the undersigned might have voted on the 1996 amendment to the Rules of the United States District Court for the District of Columbia (the "Local Rules") that is challenged in this case, Response to Mot. for Recusal 3, voluntary recusal will preserve the *appearance* of an unbiased administration of justice, which Justice Frankfurter noted was the "guiding consideration" even when the administration of justice is disinterested in fact. *Id.*

Accordingly, it hereby is

ORDERED that, for the aforementioned reasons, this case be reassigned to the Calendar Committee for assignment to a judge who was not involved in decisions about the 1996 or 2014 amendments to the Local Rules.

SO ORDERED.

November 7TH, 2014



Thomas F. Hogan
Senior United States District Judge