

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LEE MEMORIAL HEALTH SYSTEM,

Plaintiff,

v.

Case No: 2:16-cv-901-FtM-38MRM

BLUE CROSS AND BLUE SHIELD
OF FLORIDA, INC., HORIZON
HEALTHCARE SERVICES, INC.,
HORIZON BLUE CROSS BLUE
SHIELD OF NEW JERSEY,
HORIZON BCBSNJ, MERCK
SHARP & DOHME CORP. and NEW
JERSEY CARPENTERS HEALTH
FUND,

Defendants.

ORDER¹

This matter comes before the Court upon *sua sponte* review of the file. The undersigned finds a conflict of interest regarding her spouse's recent change in employment that requires her to recuse from this case. See [28 U.S.C. § 455\(b\)\(4\)](#) (requiring judges to disqualify themselves when they know their spouse "has a financial interest in . . . a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding"); see also [28 U.S.C. § 455\(a\)](#) (requiring a

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judge to “[her]self in any proceeding in which [her] impartiality might reasonably be questioned”); *Murray v. Scott*, 253 F.3d 1308, 1310 (11th Cir. 2001) (“[T]he benefit of the doubt must be resolved in favor of recusal.”).

Accordingly, it is now

ORDERED:

- (1) The undersigned is **RECUSED** from the above-captioned case.
- (2) The Clerk of the Court is **DIRECTED** to reassign this case to another United States District Judge.

DONE and **ORDERED** in Fort Myers, Florida this 19th day of April, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record