

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ACS STATE HEALTHCARE, LLC,)
)
 Plaintiff,)
)
 v.)
)
 DAVE HEINEMAN, in his official)
 capacity as Governor of the State of)
 Nebraska, JON BRUNING, in his official)
 capacity as Attorney General of the)
 State of Nebraska, CARLOS)
 CASTILLO, in his official capacity as)
 Director, Department of Administrative)
 Services, CHRISTINE PETERSON,)
 CEO of the Department of Health &)
 Human Services, and STEVE SULEK,)
 in his official capacity as Acting Material)
 Division Administrator,)
)
 Defendants.)
)
 _____)

4:08CV3021

**ORDER OF RECUSAL
REQUEST FOR REASSIGNMENT**

This matter is before the court on the court's own motion pursuant to 28 U.S.C. § 455(a), which states: "Any . . . judge . . . of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." Upon review of the parties and the record in the above-designated case, the undersigned judge shall, and hereby does, recuse himself from the above-designated case pursuant to 28 U.S.C. § 455(a).

SO ORDERED.

DATED this 4th day of February, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge