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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

GEORGE BURNS, an individual, <i>et al.</i> ,	)	
	)	
Plaintiff,	)	2:09-cv-2201-RLH-RJJ
	)	
vs.	)	
	)	
JULIUS ERVING, etc., <i>et al.</i> ,	)	<u>RECUSAL ORDER</u>
	)	
Defendant.	)	

The undersigned United States Magistrate Judge for the District of Nevada, hereby recuses himself from the above entitled matter in order to avoid the appearance of impropriety, in a proceeding in which his impartiality might reasonably be questioned in that Plaintiff's counsel is a member of the Merit Selection Panel evaluating the incumbent for reappointment. Code of Judicial Conduct, Canon 3C(1) and Guide to Judiciary Policies and Procedures, II Op. Committee on Codes of Conduct No. 97 (March 17, 2000).

Based on the foregoing, this matter is hereby referred to the Clerk for reassignment.  
DATED this 21st day of March, 2011.

  
\_\_\_\_\_  
ROBERT J. JOHNSTON  
United States Magistrate Judge