

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

<p>ORACLE USA, INC., a Colorado corporation; ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION, a California corporation;</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">v.</p> <p>RIMINI STREET, INC., a Nevada corporation; SETH RAVIN, an individual;</p> <p style="text-align: center;">Defendants.</p>

Case No. 2:10-cv-0106-LRH-VCF
ORDER

Before the court is plaintiffs Oracle USA, Inc., Oracle America, Inc., and Oracle International Corporation’s (collectively “Oracle”) motion for reassignment of action to Magistrate Judge Peggy Leen. ECF No. 1077. Defendants Rimini Street, Inc. (“Rimini Street”) and Seth Ravin (“Ravin”) filed an opposition to the motion (ECF No. 1093) to which Oracle replied (ECF No. 1095).

I. Facts and Procedural Background

This action was originally assigned to Magistrate Judge Peggy Leen. On May 2, 2016, Attorney West Allen, counsel for defendants, was appointed as chairperson of the merit selection panel considering Magistrate Judge Leen’s reappointment as a magistrate judge. To avoid any appearance of conflict arising from the Allen appointment, Magistrate Judge Leen recused herself from this action. ECF No. 1036. Magistrate Judge Cam Ferenbach was then assigned as

1 the magistrate judge for this action. ECF No. 1037. Subsequently, the merit selection panel
2 considering Magistrate Judge Leen’s reappointment completed its process and the District Court
3 for the District of Nevada approved Magistrate Judge Leen’s appointment as magistrate judge to
4 a new term. Thereafter, Oracle filed the present motion to reassign this matter to Magistrate
5 Judge Leen. ECF No. 1077.


6 **II. Discussion**

7 In its motion for reassignment, Oracle contends that Magistrate Judge Leen’s recusal
8 from this action was “temporary” and only for the duration of the reappointment process. See
9 ECF No. 1077. The court disagrees. Magistrate Judge Leen’s recusal was “for all further
10 proceedings” in this action. See ECF No. 1036. Further, the court views judicial recusal of any
11 judge as a final act. The court commends all of the extraordinary work that Magistrate Judge
12 Leen has done in this action, but there is no basis to reassign this case back to her. Therefore, the
13 court shall deny Oracle’s motion for reassignment.

14
15 IT IS THEREFORE ORDERED that plaintiffs’ motion for reassignment (ECF No. 1077)
16 is DENIED.

17 IT IS SO ORDERED.

18 DATED this 28th day of November, 2016.

19
20 
21 LARRY R. HICKS
22 UNITED STATES DISTRICT JUDGE
23
24
25
26
27
28