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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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RIMINI STREET, INC., a Nevada Corporation;

Plaintiff,

v.

ORACLE INTERNATIONAL CORPORATION, a California corporation,

Defendant.

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ORACLE AMERICA, INC., a Delaware corporation; and ORACLE INTERNATIONAL CORPORATION,

Counter-claimants,

v.

RIMINI STREET, INC.; and SETH RAVIN, an individual,

Counter-defendants.

Case No. 2:14-cv-1699-LRH-CWH

ORDER

Before the court is counter-claimants Oracle America, Inc. and Oracle International Corporation's (collectively "Oracle") motion for reassignment of action to Magistrate Judge Peggy Leen. ECF No. 304. Counter-defendants Rimini Street, Inc. ("Rimini Street") and Seth Ravin ("Ravin") filed an opposition to the motion (ECF No. 315) to which Oracle replied (ECF No. 327).

1     **I.     Facts and Procedural Background**

2             This action was originally assigned to Magistrate Judge Peggy Leen. On May 2, 2016,  
3     Attorney West Allen, counsel for counter-defendants, was appointed as chairperson of the merit  
4     selection panel considering Magistrate Judge Leen's reappointment as a magistrate judge. To  
5     avoid any appearance of conflict arising from the Allen appointment, Magistrate Judge Leen  
6     recused herself from this action. ECF No. 224. Magistrate Judge Carl Hoffman was then  
7     assigned as the magistrate judge for this action. ECF No. 225. Subsequently, the merit selection  
8     panel considering Magistrate Judge Leen's reappointment completed its process and the District  
9     Court for the District of Nevada approved Magistrate Judge Leen's appointment as magistrate  
10    judge to a new term. Thereafter, Oracle filed the present motion to reassign this matter to  
11    Magistrate Judge Leen. ECF No. 304.

12    **II.    Discussion**

13            In its motion for reassignment, Oracle contends that Magistrate Judge Leen's recusal  
14    from this action was "temporary" and only for the duration of the reappointment process. *See*  
15    ECF No. 304. The court disagrees. Magistrate Judge Leen's recusal was "for all further  
16    proceedings" in this action. *See* ECF No. 224. Further, the court views judicial recusal of any  
17    judge as a final act. The court commends all of the extraordinary work that both Magistrate  
18    Judge Leen and Magistrate Judge Hoffman have done in this action, but there is no basis to  
19    reassign this case from the current magistrate judge. Therefore, the court shall deny Oracle's  
20    motion for reassignment.

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22            IT IS THEREFORE ORDERED that counter-claimants' motion for reassignment  
23    (ECF No. 304) is DENIED.

24            IT IS SO ORDERED.

25            DATED this 16 day of November, 2016.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE