

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
NATIONAL UNION FIRE INSURANCE COMPANY OF :
PITTSBURGH, PA, :

Plaintiff, :

-v- :

EVERGREEN MARINE (UK), LTD., :

Defendant. :
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21-cv-9227 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:


Plaintiff National Union Fire Insurance Company of Pittsburgh, PA, as subrogee of The Home Depot, has filed a complaint against Defendant Evergreen Marine (UK), LTD., doing business as Evergreen Line. Dkt. No. 1.

In order for the Court to determine whether it is disqualified pursuant to Canon 3(c)(1)(C) of the Code of Judicial Conduct or whether the Court should recuse itself pursuant to Canon 2, the Court requires certain information regarding the potential interest of Home Depot in this matter.

Plaintiff is hereby ORDERED to inform the Court by no later than November 24, 2021 whether Plaintiff has paid the entire loss suffered by Home Depot as its insured or rather has paid only part of the loss; whether, for example, Home Depot may be reimbursed as subrogor for its deductible following resolution of the action; whether Plaintiff's costs incurred in the litigation and the extent of any recovery could affect policy limits, retentions, or deductibles; and whether Home Depot has a financial interest in the outcome of this action or otherwise would be required to participate in the action pursuant to a duty to cooperate with its insurer.

SO ORDERED.

Dated: November 17, 2021
New York, New York



LEWIS J. LIMAN
United States District Judge