FILED

JAN 23 2007

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ASCENTIVE LLC; et al., Petitioners, v. UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON, Respondent, OMNI INNOVATIONS LLC; et al, Real Parties in Interest.	No. 06-75732 D.C. No. CV-06-01284-TSZ Western District of Washington, Seattle ORDER

Before: SILVERMAN, PAEZ and BYBEE, Circuit Judges.

Petitioners have not demonstrated that this case warrants the intervention of this court by means of the extraordinary remedy of mandamus. *See Bauman v. United States Dist. Court*, 557 F.2d 650 (9th Cir. 1977). Specifically, petitioners have not established that the district court's order disqualifying Floyd Ivey, Esq. as counsel for the petitioners was clearly erroneous as a matter of law. *See id.* at 654-55. Accordingly, the emergency petition for writ of mandamus is denied.

A TRUE COPY
CATHY A. CATTERSON
Clerk of Court
ATTEST

JAN 23 2007

by: Bunny Wright
Deputy Clerk

06-CV-01284-MAN

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