

FILED

JAN 03 2011

RICHARD W. WENNING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BARBARA JAMISON, *et al.*,

No. C 78-00445 WHA

Plaintiffs,

v.

ORDER OF RECUSAL

DALE H. FARABEE, *et al.*,

Defendants.

This action began with a complaint filed in 1978 and was litigated to entry of a consent decree in 1983. The case was assigned to the undersigned judge when he took the bench in 1999 and has been inactive since that time.

On December 17, 2010, the undersigned judge received a letter from personnel at Napa State Hospital responsible for assisting the hospital to maintain compliance with the terms of the consent decree. The letter explained that the hospital has been unable to fulfill the requirements of the consent decree since October 2010 and inquired whether there has been a modification or abandonment of the terms of the consent decree.

Upon examination of the record, the undersigned judge discovered that he had been counsel of record for plaintiffs in this action. Accordingly, the inquiry submitted in the instant letter must be addressed by a different judge.

United States District Court
For the Northern District of California

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1 I, the undersigned judge of the Court, finding myself disqualified in the above-entitled
2 action, hereby recuse myself from this case and request that the case be reassigned pursuant to
3 the provisions of Paragraph E.2 of the Assignment Plan.

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5 **IT IS SO ORDERED.**

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7 Dated: January 3, 2011.


8 WILLIAM ALSUP
9 UNITED STATES DISTRICT JUDGE

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United States District Court
For the Northern District of California