

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
SOUTHERN DIVISION
PIKEVILLE

ARNETIA JOYCE ROBINSON,)	
)	
Plaintiff,)	
)	Civil No. 15-109-ART
v.)	
)	
FEDERAL HOUSING FINANCE)	MINUTE ENTRY ORDER
AGENCY, et al.,)	
)	
Defendants.)	

*** **

On Friday, July 8, 2016, at 2:00 p.m., the Court held a telephone conference to discuss whether the undersigned must recuse because he owns sixteen shares in an entity involved in this dispute. Robert Craig represented plaintiff Arnetia Joyce Robinson. Howard Cayne and Asim Arma represented the defendant Federal Housing Finance Agency. Thomas David Zimpleman and Deepthy Kishore represented the defendant Department of Treasury. The hearing was reported electronically. Jackie Brock was the courtroom deputy.

At the conference, the parties discussed whether 28 U.S.C. § 455 requires the undersigned to recuse because of his share ownership. Specifically, the parties discussed whether the undersigned must recuse because of “a financial interest in the subject matter in controversy,” *id.* § 455(b)(4); whether the undersigned should recuse because “his impartiality might reasonably be questioned,” *id.* § 455(a); and whether divesting the shares would cure any apparent conflict of interest, *id.* § 455(f).

The Court greatly appreciates the parties’ thoughtful participation on such short notice, and apologizes for the inconvenience caused by its recent discovery of this issue. The

Court will consider the parties' positions, decide whether recusal is appropriate, and issue an order with its decision no later than **Monday, July 11, 2016**. The plaintiff has requested leave to file a memorandum that helpfully lays out her position. The Court will grant that request. And if the Court does not recuse at this time, the defendants will have until **Friday, July 22, 2016**, to file briefs laying out their positions. The plaintiff will have until **Friday, July 29, 2016**, to respond. The Court will then hold another telephone conference to resolve this issue. Because the Court will either recuse or allow for further briefing, the oral argument currently scheduled for Thursday, July 14, 2016, is vacated.

Accordingly, and for the reasons provided on the record, it is **ORDERED** as follows:

- (1) The plaintiff's motion for leave to file a memorandum addressing the Court's disclosure, R. 57, is **GRANTED**.
- (2) The oral argument scheduled for Thursday, July 14, 2016, at 1:00 p.m. is **VACATED**.

This is the 8th day of July, 2016.



Signed By:

Amul R. Thapar *AT*

United States District Judge

TIC: London 20 minutes