

Id. § 455(d)(4) (emphasis added). Because of his spouse’s small interest in Fannie Mae—the subject of this controversy—the undersigned is required to recuse himself from this case.

Robinson responds that the undersigned can avoid recusal by simply selling off the sixteen shares. R. 57-1. And Robinson is right: A judge is not required to recuse if he or his spouse “divests himself or herself of the [financial] interest” after discovering it. 28 U.S.C. § 455(f). But the statute does not *mandate* that judges sell their shares in order to avoid recusing. Nor does the Court consider such a practice sound judicial policy. A judge could effectively pick and choose his cases by selling certain shares and keeping others. Such maneuvering would be obviously unfair to litigants—not to mention unnecessary, given a bench full of other uniformly qualified and impartial judges. The undersigned therefore will not divest the shares simply in order to hear this case. Thus, the undersigned must recuse.

Accordingly, pursuant to the Case Assignment and Recusal Order, it is **ORDERED** that this action is referred to Chief Judge Karen Caldwell of the United States District Court for the Eastern District of Kentucky. *See* General Order No. 16-5 at 2–3.

This is the 11th day of July, 2016.



Signed By:

Amul R. Thapar

AT

United States District Judge