

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

MDL No. 2328

IN RE: POOL PRODUCTS
DISTRIBUTION MARKET ANTITRUST
LITIGATION

SECTION: R(2)

JUDGE VANCE
MAG. JUDGE
WILKINSON

**THIS DOCUMENT RELATES TO ALL
CASES**

DISCLOSURE

It has come to my attention that Quinn Emanuel Urquhart & Sullivan, LLP has appeared of counsel for the plaintiff in *Handy Works Plus LLC v. Pool Corporation, et al*, Civil Action No. 12-0061.¹ This matter was recently transferred to this Section as part of *In re: Pool Products Distribution Market Antitrust Litigation*, MDL No. 2328.

¹ R. Doc. 1.

My son is a first year associate at Quinn Emanuel. He is compensated on a salaried basis and does not have an equity interest in the firm. Further, my son has not performed any work on this lawsuit. In addition, he will leave Quinn Emanuel for a one year appellate clerkship in August of 2012.

Under 28 U.S.C. 455(b), I am not required to recuse myself under these circumstances because my son does not have a financial interest in the matter before me. See *Scott v. Metro. Health Corp.*, 234 Fed. Appx. 341, 356 (6th Cir. 2007)(recusal not required when judge's wife was not a partner at the firm appearing before him and had no equity, ownership, or profit-sharing interest in outcome); *Jenkins v. Ark. Power & Light Co.*, 140 F.3d 1161, 1165 (6th Cir. 1998)(salaried associate is not substantially affected by the outcome of the case); *Bartholomew v. Stassi-Lampman*, 95 F.3d 1156, 1996 WL 477006, at *2 (9th Cir. Aug. 21, 1996)(judge's daughter did not have financial interest in case in which her firm participated because she did not work on the case and was an associate who was paid a flat salary). See also *Disqualification When Relative is Employed by a Participating Law Firm*, Comm. on Codes of Conduct Advisory Op. 58 ("If the relative is an associate or non-equity partner and has not participated in the preparation or presentation of the case before the judge, and the relative's compensation is in no manner

dependent upon the result of the case, recusal is not mandated.").

Although I do not see grounds for disqualification under these circumstances, any party who wishes to seek my disqualification because of this disclosure shall do so by appropriate motion within ten days of entry of this disclosure.

New Orleans, Louisiana, this 26th day of April, 2012.

A handwritten signature in black ink that reads "Sarah S. Vance". The signature is written in a cursive style with a large initial 'S' and 'V'. It is positioned above a horizontal line.

SARAH S. VANCE

UNITED STATES DISTRICT JUDGE