UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

JAVIER F. OVANDO,
Case No. CV 99-11629-GAF (AJWx)
Consolidated with
Case No. CV 99-11835-GAF (AJWx)

NOTICE TO COUNSEL

V.
CITY OF LOS ANGELES, et al.,

Defendant.

It has come to the Court's attention that there may be some attorneys who are involved in the Rampart related litigation who may be unaware that Judge Feess is married to a Deputy District Attorney (Deborah Kranze) working in the Los Angeles County District Attorney's Office. While this is a matter of public record, and has been reported in public profiles of Judge Feess, it appears that at least some counsel may be unaware of this fact.

The Court does not believe that this requires self-recusal, and the Court declines to take such action. However, the Court understands that there may be differences of opinion on the matter. If this is the case, the appropriate vehicle for addressing such differences is through a motion to recuse. Any such motion

would, in accordance with the Local Rules, be heard by another judge of the District Court. The Court strongly urges any party who believes that there is a basis for such a motion to make the motion at the earliest possible time to avoid any unnecessary disruption to the orderly progress of these cases. Finally, in the event that counsel for any party should find any indication in any specific file that Deputy District Attorney Kranze has had some involvement in the case (e.g., preparation of a criminal complaint, drafting of a search warrant, or some other action), such information should be immediately brought to the Court's attention.

On a related subject and in the interest of balance, the Court wishes to be certain that counsel for defendants are aware that Judge Feess served as a Deputy General Counsel on the Christopher Commission (which is also a matter of public record). In that capacity, Judge Feess assisted in the Commission's investigation into a variety of police practices and participated in the drafting of the Commission's report and recommendations. Again the Court does not believe that this requires self-recusal, and declines to take such action. Any party who disagrees and believes that this is grounds for recusal should make an appropriate motion at the earliest possible date.

Dated: October 19, 2000

Gary Allen Feess United States District Judge