

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
EASTERN DIVISION

FRIENDS OF THE LAKEVIEW SCHOOL DISTRICT  
INCORPORATION NO. 25 OF PHILLIPS COUNTY, ET AL.

PLAINTIFFS

v.

No. 2:04CV00184 GH

MIKE HUCKABEE, IN HIS OFFICIAL CAPACITY,  
AS GOVERNOR OF THE STATE OF ARKANSAS, ET AL.

DEFENDANTS

**ORDER**

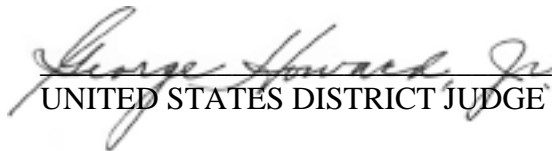
By order filed late in the afternoon of February 24<sup>th</sup>, the Court denied plaintiffs' motions to reopen case and to disqualify the undesigned. After that order was filed, the Court received notice that defendants had filed a response to the motion to disqualify that same afternoon. As the response provides further support for the Court's decision, the Court files this order to supplement the February 24<sup>th</sup> order.

Defendants state that the plaintiffs' motion to disqualify boils down to two central contentions accusing the Court of making racially-based and derogatory comments toward the plaintiffs and their witnesses during the August 22<sup>nd</sup> hearing and that the Court's orders denying the preliminary injunction motion and in administratively terminating the case are evidence of bias. They continue that the accusations about racially derogatory comments at the August 22<sup>nd</sup> hearing are utterly without merit and note that plaintiffs have apparently not ordered the transcript as no portion of the transcript was attached to substantiate their claims. Defendants state that their counsel does not recall racially derogatory statements and that all witnesses and counsel were treated with

dignity and respect and that defendants' counsel has not been made aware of any purported request for sanctions at the 8<sup>th</sup> Circuit Court of Appeals. Defendants also point out that plaintiffs chose not to appeal the Court's rulings which contained the credibility determinations made when the testimony and other evidence was reviewed.

While the February 24<sup>th</sup> order sufficiently explains why recusal is not warranted, this order – incorporating defendants's arguments – only reinforces that ruling.

IT IS SO ORDERED this 27<sup>th</sup> day of February, 2006.

  
UNITED STATES DISTRICT JUDGE