

# The Supreme Court's Unexplained OT17 Cert. -Stage Recusals Explained

At (or after) the merits stage, there were six OT 17 recusals: Justice Kagan in *Jennings v. Rodriguez* and *Rubin v. Iran*; Justice Kennedy in *Washington v. U.S.*; and Justice Gorsuch in *City of Hays v. Vogt*, *Dahda v. U.S.* and *Chavez-Mesa v. U.S.*, all due to previous work. The numbers below are all cert.-stage.

## Reason for recusal

<u>Justice</u>	<u>Stock / property ownership</u>	<u>Previous work</u>	<u>Named</u>	<u>Family</u>	<u>Undetermined</u>	<u>Total</u>
Roberts	3	4	1	0	0	8
Kennedy	0	1	1	0	0	2
Thomas	0	0	1	0	1	2
Ginsburg	3	0	1	0	0	4
Breyer	2	0	1	10	0	13
Alito	26	10	1	0	0	37
Sotomayor	1	16	1	0	0	18
Kagan	1	31	1	0	0	33
Gorsuch	3	71	0	0	3	77
<i>Totals</i>	39	133	8	10	4	194

**Stock ownership (37: 28 via stocks + 7 fund-based via Tribune Co. LBO petition + 2 fund-based via Tarrt v. Magna Health petition)**

Roberts (3)	Groshek v. Time Warner Cable et al. (TWX)	Front Row Technologies v. MLB et al. (TWX)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)			
Ginsburg (1)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)					
Breyer (2)	Jean-Pierre v. Schwers (Pearson)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)				
	Birmingham v. PNC (PNC)	SolidFX v. Jeppesen Sanderson (Boeing)	Ethicon v. Huskey (JNJ)	Oubre v. Schlumberger	SE La. Flood Protection v. TN Gas et al. (CoPh)	M-I LLC v. Syed (Schlum)

Alito (26)	Joseph v. UTC (UTC)	Nova Chemicals v. Dow Chemical (DWDP)	Birmingham v. PNC (PNC)	Merck Sharp & Dohme v Albrecht (MRK)	Cordis Corp. v. Barber (JNJ)	Dow Agrosiences v. Bayer Cropscience (DWDP)
	Taft v. Nabisco (Mondelez)	WesternGeco v. Ion Geophysical (Sch)	Mathias v. USDC CD Illinois (Cat)	Sterba v. PNC (PNC)	Bais Yaakov v. FCC (MRK)	Rinis v. Public Employment Retirement System (MRK)
	Endo Pharmaceuticals et al. v. New Hampshire (JNJ)	Brown v. Amica Insurance et al. (Fidelity)	Medical Device v. U.S. (JNJ)	Cotton v. Johnson & Johnson (JNJ)	Kip CR P1 v. Oracle (Oracle)	Kip CR P1 v. Cisco (Oracle)
	Okawaki v. First Hawaiian Bank et al. (Oracle)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)				
Sotomayor (1)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)					
Kagan (1)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)					
Gorsuch (3)	Deutsche Bank Trust et al. v. McCormick Foundation et al. (*)	Tartt v. Magna Health Systems et al. (2) (USAA)				

**Property ownership (2)**

Ginsburg (1)	Tian v. Watergate South (2)
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**Previous work (not including Sotomayor, Kagan and Gorsuch) (15)**

Roberts (4)	Tingle v. Perdue	Mandan v. Perdue	Poulnott v. U.S.	Roy L. Wells v. U.S.
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Kennedy (1)	Washington v. U.S.					
Alito (10)	Jackman v. Hollingsworth	Sample v. Pennsylvania	Gaudelli v. U.S.	Norwood v. U.S.	Allen v. U.S.	Gardner v. Capozza
	Lin v. Rohm and Haas	Mickens v. Clarke	Clary v. U.S.	In re: Leon Bradley		

**Named in complaint (8)**

Roberts (1)	Chute v. Nifty-Fifties
Kennedy (1)	Chute v. Nifty-Fifties
Thomas (1)	Chute v. Nifty-Fifties
Ginsburg (1)	Chute v. Nifty-Fifties
Breyer (1)	Chute v. Nifty-Fifties
Alito (1)	Chute v. Nifty-Fifties
Sotomayor (1)	Chute v. Nifty-Fifties
Kagan (1)	Chute v. Nifty-Fifties

**Family (10)**

Breyer (10)	Wong v. Anderson et al. (2)	Antonick v. Electronic Arts	<a href="#">Cuevas v. Hartley (2)</a>	Yang v. Wortman	Martinez v. U.S.	Bank Melli v. Bennett
	All Nippon Airways et al. v. Wortman	Aguilera v. U.S.				

**Undertermined (4)**

Thomas (1)	Elbert A. Walton disbarment		
Gorsuch (3)	Geo Group v. Detention Watch Network et al.	Opalinski v. Robert Half Int'l	Foot Locker v. Osberg