

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Linda Cook v. Ben Hossienzadeh et al.

Cook · No. 2:25-cv-02013-JHC · Decided November 24, 2025

SUMMARY

The court denies Linda Cook’s motions to recuse the undersigned judge and reassign the case. The court finds no cognizable basis for recusal or reassignment based on the plaintiff’s challenge to the judge’s nomination under the Appointments Clause, and directs the Clerk to refer the motions to Chief Judge David Estudillo for further review.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	John H. Chun
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	November 24, 2025
DOCKET	2:25-cv-02013-JHC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved to recuse the assigned judge and for reassignment of the case based on an alleged violation of the Appointments Clause.
STANDARD OF REVIEW	The court considered whether the motion papers presented a legally cognizable basis for recusal under 28 U.S.C. §§ 144 and 455 and whether clear evidence supported reassignment on constitutional grounds.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown.
PARTIES	Linda Cook v. Ben Hossienzadeh et al.

TOPICS

- civil procedure
- constitutional law
- separation of powers

PRACTICE AREAS

- Civil procedure
- Federal courts
- Judicial disqualification
- Constitutional law

QUESTIONS PRESENTED

1. Whether the assigned judge was required to recuse under 28 U.S.C. §§ 144 or 455 based on the plaintiff's challenge to the judge's nomination and other alleged grounds.
2. Whether the plaintiff was entitled to case reassignment or a preliminary adjudication of the constitutional propriety of the judge's nomination.

HOLDINGS

1. Recusal was not warranted because the plaintiff presented no facts that would cause a reasonable person to question the judge's impartiality and identified no cognizable statutory basis for disqualification.
2. The plaintiff was not entitled to reassignment or to an adjudication of the constitutional propriety of the judge's nomination before the court ruled on her claims because she failed to present clear evidence that the nomination was irregular.

KEY QUOTATIONS

“Whenever a motion to recuse directed at a judge of this court is filed pursuant to 28 U.S.C. § 144 or 28 U.S.C. § 455, the challenged judge will review the motion papers and decide whether to recuse voluntarily.”
(at 1)

“But a judge is not disqualified by a “prior adverse ruling” in the case, “a litigant’s suit or threatened suit against [the judge],” “a litigant’s intemperate and scurrilous attacks [against the judge],” or any other factors that do not speak to the issue of the judge’s impartiality.” (at 1)

FACTUAL BACKGROUND

Plaintiff alleged that the assigned judge's nomination to the federal judiciary violated the Appointments Clause. She did not allege facts indicating that the judge had a personal bias, financial interest, or other circumstance causing his impartiality reasonably to be questioned. The court found no clear evidence that the judge's nomination was constitutionally irregular.

PROCEDURAL HISTORY

The plaintiff filed a motion to recuse and a motion for case reassignment. The assigned judge reviewed the motions under the applicable local rule, declined to voluntarily recuse, denied both motions, and directed the Clerk to refer them to Chief Judge David Estudillo for further review.

DISPOSITION

other

REMAND INSTRUCTIONS

The Clerk was directed to refer the motions to Chief Judge David Estudillo for further review under LCR 3(f).

CASES CITED

- United States v. Studley, 783 F.2d 934, 939-40 (9th Cir.)

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