

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

SMITH OPTICS, INC., a Delaware
corporation,

Plaintiff,

v.

OAKLEY, INC., a Washington
corporation; and EYE SAFETY
SYSTEMS, INC., a Delaware
corporation,

Defendants.

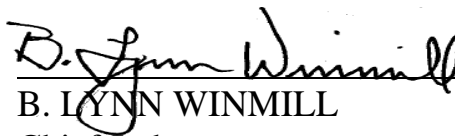
Case No. 1:12-CV-120-BLW

ORDER OF NON-RECUSAL

In a prior Order (docket no. 23), the Court disclosed a potential conflict it had in this case and ruled that unless all parties file a written agreement on or before July 31, 2012, that the Court need not recuse itself pursuant to Canons 3(C)(1) & (D), the Court will recuse itself and direct the Clerk to reassign this case to another Judge. Prior to that deadline, the parties filed a Stipulation that the Court need not be disqualified. Accordingly, the Court will not recuse itself from this case.

DATED: **July 20, 2012**




B. LYNN WINMILL
Chief Judge
United States District Court