

Biden-Appointed Judge Steps Down from FTC Case Due to Nomination Support by Witness



U.S. District Judge Araceli Martínez-Olguín, appointed by President Joe Biden and based in San Francisco, has recused herself from a Federal Trade Commission (FTC) case involving Precision Patient Outcomes, a company accused of making false claims regarding a COVID-19 treatment. The decision to step down comes after a conservative legal group raised concerns about a potential witness in the case who had supported the judge's nomination.

Judge Martínez-Olguín, a former civil rights lawyer, obtained Senate confirmation in February and assumed the bench with the goal of maintaining impartiality and integrity in the legal proceedings. Citing the need to "avoid even the appearance of partiality," she decided to recuse herself from the FTC's case against Precision Patient Outcomes.

The controversy emerged when lawyers from the conservative New Civil Liberties Alliance argued that a witness in the case, FTC investigator Raymond Manzo, had publicly supported Judge Martínez-Olguín's nomination as a leader of Hispanic and Latino bar associations. According to the group, this potential relationship could raise questions about the judge's impartiality, making her decision to recuse herself a prudent move.

See also: [Biden Appoints New District Court Judges in Democrat-Controlled States](#)

John Vecchione, a lawyer representing Precision Patient Outcomes at the New Civil Liberties Alliance, praised the judge's decision, noting that it would prevent a distraction from the main case and ensure focus on the legal matters at hand. The FTC, however, refrained from commenting on the development.

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The FTC initiated the legal action against California-based Precision Patient Outcomes and its CEO, Margrett Priest Lewis, in November, accusing the company of unlawfully marketing a dietary supplement consisting primarily of vitamins, zinc, and a flavonoid as an effective treatment for COVID-19. The defendants maintain their innocence and have challenged the FTC's authority, arguing that the agency lacks the statutory and constitutional basis to pursue the case.

Judge Martínez-Olguín's nomination faced a contentious confirmation process in the Democratic-controlled Senate, ultimately securing a narrow 49-48 vote in her favor in February, with Vice President Kamala Harris casting the tie-breaking vote. The judge's background at the National Immigration Law Center and her viewpoints as a civil rights and immigration attorney with a Latina perspective were seen as valuable attributes during the confirmation process.

A crucial factor leading to the recusal decision was a filing made by Precision Patient Outcomes' legal team last month, revealing Manzo's active support for Judge Martínez-Olguín's confirmation to the federal bench. Manzo, president of the San Francisco La Raza Lawyers Association and regional president of the Hispanic National Bar Association, submitted a letter endorsing the judge's candidacy. Given her unique background, he expressed confidence that her presence on the bench would enrich legal discussions and interpretations.

Responding to the concerns raised about Manzo's interactions with the judge, the FTC maintained that these interactions were limited and cited legal precedent indicating that professional relationships or past support for judicial nominations are not sufficient grounds for recusal.

The recusal decision raises questions about the complexities of judicial appointments and the need to maintain public trust in the legal system's fairness.

Transparency and adherence to ethical standards are paramount to ensuring public confidence in the judiciary's independence and impartiality.

As the case proceeds, new developments may arise, and the impact of the recusal on the proceedings and the FTC's pursuit of Precision Patient Outcomes will be closely watched. The legal community and the public will closely scrutinize this situation to ensure the integrity of the judicial process and the pursuit of justice in false COVID-19 treatment claims.

Don't be a silent ninja! Let us know your thoughts in the comment section below.