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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 George Abarah,

10 Plaintiff,

11 vs.

12 City of Scottsdale Police Department, et al.,

13 Defendants.

No. CV10-1539-PHX-DGC

ORDER

14 Plaintiff has filed a motion to recuse and for clarification of defendants. Doc. 37.
15 Plaintiff previously filed a motion to recuse the undersigned judge (Doc. 33) and a
16 motion to alter the Court's previous order dismissing Defendant Maricopa County
17 Sheriff's Office ("MCSO") (Doc. 34). In a January 24, 2011 order, the Court denied the
18 previous motions. Doc. 36. The Court will construe the current motion as a motion for
19 reconsideration of the Court's previous orders.

20 Under 28 U.S.C. § 455(a), "[a]ny . . . judge, or magistrate judge of the United
21 States . . . shall disqualify himself in any proceeding in which his impartiality might
22 reasonably be questioned." Plaintiff's basis for seeking recusal in this case is the Court's
23 previous order dismissing MCSO from this litigation. As stated in the Court's earlier
24 order, this does not constitute a proper basis for recusal. Doc. 36. Plaintiff provides no
25 basis for reconsidering the Court earlier decision.

26 On October 18, 2010, the Court entered an order dismissing MCSO from this case
27 as a non-jural entity. Doc. 19. On January 24, 2011 the Court entered an order denying
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1 Plaintiff's motion for reconsideration of this ruling. Doc. 36. Plaintiff has filed no basis
2 for reconsidering either of the Court's earlier rulings. *See* LRCiv 7.2(g)(1); *see Carroll v.*
3 *Nakatani*, 342 F.3d 934, 945 (9th Cir. 2003). Mere disagreement with an order is an
4 insufficient basis for reconsideration. *See Ross v. Arpaio*, No. CV 05-4177-PHX-MHM,
5 2008 WL 1776502, at *2 (D. Ariz. 2008).

6 Finally, Plaintiff has filed a document titled Notice of Initial Disclosures and
7 Motion for Discovery Request. Doc. 38. Among other things, Plaintiff seeks production
8 of certain information. A request for production is not directed to the Court under Rule
9 34 of the Federal Rules of Civil Procedure. Rather, the request must be directed at
10 opposing parties in the litigation and must comply with Rule 34. Other discovery
11 requests are likewise directed to opposing parties, not to the Court, and must comply with
12 the relevant Rules of Civil Procedures. *See, e.g.*, Rules 30, 33, 36.

13 Plaintiff advised the Court in his filing of December 30, 2010 that he wishes to
14 pursue this litigation. Doc. 34. As a result, the Court entered a Case Management Order
15 in this case on January 24, 2011. Doc. 35. The Case Management Order sets a discovery
16 deadline of June 17, 2011 and a motions deadline of July 15, 2011. The deadline for
17 engaging in good faith settlement talks is May 27, 2011. Plaintiff is advised that the
18 Court intends to enforce the deadlines set forth in the Case Management Order.

19 **IT IS ORDERED:**

- 20 1. Plaintiff's motion to recuse and clarification of defendants (Doc. 37) is
21 **denied.**
- 22 2. Plaintiff's motion for discovery (Doc. 38) is **denied as moot.**
- 23 3. Plaintiff shall not file further motions to reconsider the Court's orders
24 denying recusal and dismissing MCSO.

25 Dated this 3rd day of March, 2011.

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David G. Campbell
United States District Judge