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**NOT FOR PUBLICATION**

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Michael J. Brosnahan,

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No. CV-10-8056-PCT-FJM

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Plaintiff,

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**ORDER**

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vs.

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Bank of America, et al.,

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Defendants.

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The court has before it plaintiff's motion to vacate judgment pursuant to Rule 60, Fed. R. Civ. P. (doc. 23), defendants' response (doc. 24), plaintiff's reply (doc. 26); plaintiff's motion to compel defendants' attorneys to submit an affidavit (doc. 25) and plaintiff's motion for stay of non-judicial proceedings (doc. 28).

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Plaintiff asks us to vacate our order entered on June 30, 2010, in which we concluded that plaintiff had failed to state a cognizable claim and accordingly granted defendants' motion to dismiss (doc. 21).

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A motion for relief from judgment under Rule 60, Fed. R. Civ. P., requires a showing that the judgment sought to be vacated was entered through mistake or excusable neglect, that newly discovered evidence exists, that the judgment was obtained by fraud or is otherwise void, or that some other reason exists to vacate the judgment. Fed. R. Civ. P. 60(b). Plaintiff has failed to make the requisite showing. Instead, he largely repeats arguments made in his response to the motion to dismiss, and levels charges about

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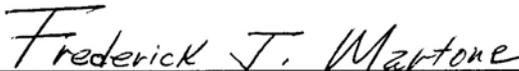
1 defendants' "criminal" and "terrorist" conduct.

2 We have fully considered each of plaintiff's claims and will not revisit them now.

3 **IT IS ORDERED DENYING** plaintiff's motion to vacate (doc. 23), and **DENYING**  
4 plaintiff's motion to compel defendants' attorneys to submit an affidavit (doc. 25). Because  
5 this case is closed we also **DENY** plaintiff's motion for stay of non-judicial proceedings  
6 (doc. 28).

7 We again encourage plaintiff to seek the advice of counsel. If he cannot find a lawyer,  
8 he may wish to contact the Lawyer Referral Service of the Maricopa County Bar Association  
9 at (602) 257-4434. Plaintiff is advised that any further challenge to this court's order should  
10 be directed to the United States Court of Appeals for the Ninth Circuit. See Fed. R. App. P.  
11 3, 4.

12 DATED this 26<sup>th</sup> day of August, 2010.

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16 Frederick J. Martone  
17 United States District Judge  
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