

1 Federal Rule of Civil Procedure 60(b)(6) allows the Court to relieve a party from an
2 order for any reason that justifies relief. Rule 60(b)(6) “is to be used sparingly as an
3 equitable remedy to prevent manifest injustice and is to be utilized only where extraordinary
4 circumstances . . .” exist. Harvest v. Castro, 531 F.3d 737, 749 (9th Cir. 2008) (internal
5 quotations marks and citation omitted). The moving party “must demonstrate both injury
6 and circumstances beyond his control” Id. (internal quotation marks and citation
7 omitted). Further, Local Rule 230(j) requires, in relevant part, that Plaintiff show “what new
8 or different facts or circumstances are claimed to exist which did not exist or were not
9 shown upon such prior motion, or what other grounds exist for the motion,” and “why the
10 facts or circumstances were not shown at the time of the prior motion.”
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13 “A motion for reconsideration should not be granted, absent highly unusual
14 circumstances, unless the district court is presented with newly discovered evidence,
15 committed clear error, or if there is an intervening change in the controlling law,” and it
16 “may *not* be used to raise arguments or present evidence for the first time when they could
17 reasonably have been raised earlier in the litigation.” Marlyn Nutraceuticals, Inc. v. Mucos
18 Pharma GmbH & Co., 571 F.3d 873, 880 (9th Cir. 2009) (internal quotations marks and
19 citations omitted) (emphasis in original).
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21 Plaintiff has offered no new evidence, no indication of any error committed by the
22 Court, nor has he cited any change in the controlling law. Plaintiff does not offer any new
23 or different facts or circumstances. In fact, Plaintiff does not offer any argument as to why
24 the Court’s Order was wrong.
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1 Because Plaintiff did not meet his burden as the party moving for reconsideration,
2 his motions are HEREBY DENIED.

3 IT IS SO ORDERED.

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5 Dated: September 2, 2011


UNITED STATES MAGISTRATE JUDGE

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