

1 intrinsic or extrinsic), misrepresentation, or misconduct by an
2 opposing party; (4) the judgment is void; (5) the judgment has been
3 satisfied, released, or discharged; it is based on an earlier judgment
4 that has been reversed or vacated; or applying it prospectively is no
5 longer equitable; or (6) any other reason that justifies relief.

6 According to Plaintiff, he needs to see a copy of Defendant's certified and filed oath of
7 office, because without it Defendant is "no valid-legitimate 'public officer' and is merely
8 impersonating such..." Plaintiff further alleges that the California Department of Corrections
9 and Rehabilitation serves as a vehicle for Defendant to act in subversion of the Constitution of the
10 United States. Finally, Plaintiff asks the Court to order Defendant to turnover bond/insurance
11 policy information pursuant to Federal Rule of Civil Procedure 26(a)(1)(A)(iv), and cites to cases
12 that refer to the initial disclosure requirement.

13 Plaintiff has failed to show that he meets any of the above-mentioned reasons for granting
14 relief from the order denying his motion to compel, or for reconsidering the Court's earlier
15 decision.

16 Although no further explanation is needed, the Court will explain that the form initial
17 disclosures are not legally required in this case under the Federal Rules of Civil Procedure
18 (Federal Rule of Civil Procedure 26(a)(1)(B)(iv)). Although this Court issued its own specific
19 and tailored initial disclosures order,¹ (ECF No. 51), which was targeted to the needs in this type
20 of case, it did not require applicable insurance policies to be included in initial disclosures. The
21 Court continues to believe that insurance information is not relevant in this case because there is
22 no argument that defendant will be unable to pay any judgment or that damages will be
23 determined by the amount of insurance coverage.

24 Regarding Plaintiff's request for Defendant's oath of office, Defendant's counsel stated on
25 the record that Defendant was acting under state law, and there is no reason to doubt that
26 representation. Plaintiff poses no factual basis to contest this. Plaintiff's case is not about an
27 allegation that Defendant was acting fraudulently in pretending to be an agent of the state, and

28 ¹ Comment to 2000 Amendment to Rule 26 (regarding Rule 26's exemptions for certain
categories of cases, "Case-specific orders remain proper," and "the court can order exchange of
similar information in managing the action under Rule 16").

1 Plaintiff not entitled to discovery merely for the chance that Defendant could have been lying,
2 without any evidence of such an accusation. The disputed facts in the case before this Court have
3 nothing to do with Defendant's oath of office and thus that information is not relevant to this
4 proceeding.

5 Accordingly, it is ORDERED that Plaintiff's Motion to Alter/Amend
6 Judgment/Order/Decree is DENIED.

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8 IT IS SO ORDERED.

9 Dated: December 21, 2016

/s/ Eric P. Groj
UNITED STATES MAGISTRATE JUDGE

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