

1 to provide him with information concerning this matter, and thus he relies on them for any
2 information and legal documents or access to legal materials. The Court construes this motion as
3 a motion for reconsideration pursuant to Federal Rule of Civil Procedure Rule 60(b)(6).

4 Federal Rule of Civil Procedure 60(b)(6) allows the Court to relieve a party from an order
5 for any reason that justifies relief. Rule 60(b)(6) “is to be ‘used sparingly as an equitable remedy
6 to prevent manifest injustice and is to be utilized only where extraordinary circumstances’” exist.
7 *Harvest v. Castro*, 531 F.3d 737, 749 (9th Cir. 2008) (quoting *Latshaw v. Trainer Wortham &*
8 *Co., Inc.*, 452 F.3d 1097, 1103 (9th Cir. 2006)). The moving party “must demonstrate both injury
9 and circumstances beyond his control.” *Latshaw*, 452 F.3d at 1103. In seeking reconsideration of
10 an order, Local Rule 230(j) requires a party to show “what new or different facts or circumstances
11 are claimed to exist which did not exist or were not shown upon such prior motion, or what other
12 grounds exist for the motion.” L.R. 230(j). “A motion for reconsideration should not be granted,
13 absent highly unusual circumstances, unless the ... court is presented with newly discovered
14 evidence, committed clear error, or if there is an intervening change in the controlling law.”
15 *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880 (9th Cir. 2009).

16 Plaintiff has not presented sufficient grounds for reconsideration of the order denying his
17 motion to compel discovery. As the Magistrate Judge correctly found, this case has not entered
18 the discovery stage. Since that order was issued, Plaintiff has filed a first amended complaint,
19 which will be screened in due course.

20 Accordingly, it is HEREBY ORDERED that Plaintiff’s motion to reconsider the order
21 denying his motion to compel discovery, (ECF No. 20), is DENIED.

22
23 IT IS SO ORDERED.

24 Dated: September 15, 2016

/s/ Lawrence J. O’Neill
25 UNITED STATES CHIEF DISTRICT JUDGE