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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MILTON CHARLES VAN NOLAND and No. 2:09-cv-02035-MCE-DAD
JOY GARNER,

Plaintiffs,

v.

ORDER

ERIC S. PELLETIER and "GRRR!
LIMITED,"

Defendants.

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On February 4, 2010, the Magistrate Judge denied Plaintiffs' Motion to Remand and Plaintiffs' Motion for Recusal. On March 3, 2010, Plaintiffs filed a Motion for Reconsideration of that Order. This Court denied Plaintiffs' Motion for Reconsideration by Order filed April 6, 2010.


Plaintiffs have now filed yet another Motion in this matter, this time denominated it as a "Motion for Correction", asking that the Court "correct" its previous April 6, 2010 Order denying reconsideration.

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1 Plaintiffs' present request is nothing more than a second
2 Motion for Reconsideration of the Court's April 6, 2010 Order.
3 Eastern District Local Rule 303(c), while allowing a party to
4 seek reconsideration of a Magistrate Judge's ruling, does not
5 authorize repeated attempts to do so ("a party seeking
6 reconsideration of a Magistrate Judge's ruling shall file a
7 Motion for Reconsideration"). The instant Motion (Docket No. 97)
8 is accordingly DENIED¹ as both unauthorized and cumulative.²

9 IT IS SO ORDERED.

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11 Dated: May 12, 2010

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14 MORRISON C. ENGLAND, JR.
15 UNITED STATES DISTRICT JUDGE
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23 ¹ Because oral argument will not be of material assistance,
24 the Court deemed this matter suitable for decision without oral
argument. E.D. Cal. Local Rule 230(g).

25 ² Moreover, even were this Court to consider the Motion on
26 its merits, Plaintiffs have still failed to show any newly
27 discovered evidence, clear error, or an intervening change in the
28 controlling law that would justify reconsideration. School Dist.
No. 1J, Multnomah County v. ACandS, Inc., 5 F.3d 1255, 1263 (9th
Cir. 1993); Kern-Tulare Water Dist. v. City of Bakersfield, 634
F. Supp. 656, 665 (E.D. Cal. 1986), aff'd in part and rev'd in
part on other grounds, 828 F.2d 514 (9th Cir. 1987).