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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM J. WHITSITT,
Plaintiff,
v.
PATRICIO ENTERPRISES, et al.,
Defendant.

No. 2:13-cv-00118-KJM-GGH

ORDER

On September 18, 2015, plaintiff William Whitsitt moved for reconsideration of this court’s previous order granting the defendants’ motions to dismiss. ECF No. 65. Mr. Whitsitt’s motion is based on Federal Rule of Civil Procedure 60(b).

The court may grant relief under that Rule 60(b) on the basis of mistake, newly discovered evidence, fraud, when the judgment is void or satisfied, or for “any other reason that justifies relief.” *See* Fed. R. Civ. P. 60(b). “[A] Rule 60(b)(1) reconsideration motion should not merely present arguments previously raised, or which could have been raised in the original briefs.” *San Luis & Delta-Mendota Water Auth. v. U.S. Dep’t of Interior*, 624 F. Supp. 2d 1197, 1208 (E.D. Cal. 2009), *aff’d*, 672 F.3d 676 (9th Cir. 2012).

Here, Mr. Whitsitt has not identified any mistake or other ground for reconsideration. He contends, as in his objections to the magistrate judge’s findings and

1 recommendations, that he timely filed an EEOC claim on December 20, 2012. *See* Objections
2 at 6, ECF No. 52. The court acknowledged this fact in its previous order but found it did not
3 satisfy the statutory requirement. *See* Order Mar. 31, 2015, at 2, ECF No. 63. Neither did the
4 court interpret that requirement as a jurisdictional bar; rather, it concluded Mr. Whitsitt had
5 identified no ground for equitable relief. *See id.*

6 The motion for reconsideration is DENIED.

7 IT IS SO ORDERED.

8 DATED: September 29, 2015.

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UNITED STATES DISTRICT JUDGE