



1 course of action is for plaintiff to file a new case. *Elgen Mfg. Co. v. Mac Arthur Co.*, No. 23-cv-  
2 04929-JST, 2024 U.S. Dist. LEXIS 146809, at \*9-11 (E.D. Cal. Sept. 16, 2024) (collecting  
3 cases).

4 Accordingly, it is hereby RECOMMENDED that the court deny plaintiff's October 23,  
5 2024 motion to reopen (ECF No. 16), close the case, and direct the Clerk of Court to  
6 administratively terminate the pending motion for temporary injunction (ECF No. 17).

7 These findings and recommendations are submitted to the United States District Judge  
8 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
9 after being served with these findings and recommendations, any party may file written  
10 objections with the court and serve a copy on all parties. Such a document should be captioned  
11 "Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections  
12 within the specified time may waive the right to appeal the District Court's order. *Turner v.*  
13 *Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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15 Dated: March 4, 2025

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE

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