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United States District Court
For the Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL DUNN,

Plaintiff,

v.

JAMES NOE, ET AL.,

Defendants.

No. C-07-03559 JCS

**ORDER DENYING MOTION FOR
RECONSIDERATION [Docket No. 36]**

On April 30, 2009, the Court granted Plaintiff's motion to reopen the case and dismissed Plaintiff's claims with prejudice under the doctrine of res judicata. Plaintiff now asks the Court to reconsider that decision. Under Civil Local Rule 7-9(a), a party is required to obtain leave of court to file a motion for reconsideration. Civil Local Rule 7-9(b) provides that a party seeking reconsideration of an interlocutory order must show: 1) "a material difference of fact or law exists from what was presented to the Court before entry of the interlocutory order;" or 2) "the emergence of a new material facts or a change of law occurring after the time of such order;" or 3) a manifest failure by the Court to consider material facts or dispositive legal arguments which were presented to the Court" before the interlocutory order was entered. Having reviewed Plaintiff's motion for reconsideration, the Court concludes that none of the requirements of Rule 7-9(b) has been met. Therefore, the motion for reconsideration is DENIED.

IT IS SO ORDERED.

Dated: May 8, 2009


JOSEPH C. SPERO
United States Magistrate Judge