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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALTA BATES SUMMIT MEDICAL  
CENTER,

Plaintiff,

v.

UNITED OF OMAHA LIFE INSURANCE  
COMPANY, et al.,

Defendants.

No. 07-04224 JSW

**ORDER DENYING PLAINTIFF’S  
ADMINISTRATIVE MOTION  
FOR LEAVE FOR A HEARING**

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Now before the Court is Plaintiff’s administrative motion for leave for a hearing on the motion to dismiss that the Court already ruled on. Although the motion is entitled “Ex Parte Application for a Hearing on Order Granting Defendants’ Motion to Dismiss,” in essence, Plaintiff seek to have the Court reconsider its order granting Defendants’ motion. Plaintiff should have filed a motion for leave to file a motion for reconsideration in accordance with Civil L.R. 7-9(a).

A motion for reconsideration may be made on one of three grounds: (1) a material difference in fact or law exists from that which was presented to the Court, which, in the exercise of reasonable diligence, the party applying for reconsideration did not know at the time of the order; (2) the emergence of new material facts or a change of law; or (3) a manifest failure by the Court to consider material facts or dispositive legal arguments presented before

United States District Court  
For the Northern District of California

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entry of the order. Civ. L.R. 7-9(b)(1)-(3). In addition, the moving party may not reargue any written or oral argument previously asserted to the Court. Civ. L.R. 7-9(c). Plaintiff has not made a showing under any of these three grounds that a motion for reconsideration is warranted. Therefore, to the extent Plaintiff inartfully seeks leave to file a motion for reconsideration, such request is denied. To the extent Plaintiff seeks to have a hearing on a motion that has already been decided, that request is denied as well.

**IT IS SO ORDERED.**

Dated: May 7, 2008

  
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JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE