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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

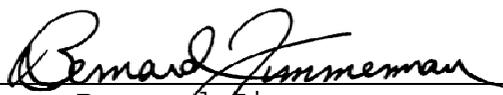
JO ANNE E. HASELTINE,)
)
Plaintiff,)
)
v.)
)
MICHAEL J. ASTRUE,)
)
Defendant.)
_____)

No. C 08-5782 BZ
ORDER DENYING MOTION FOR RECONSIDERATION

Before me is defendant's motion for reconsideration of the order denying plaintiff's motion to compel dated October 29, 2009. Civil Local Rule 7-9(b) requires that the moving party on a motion for reconsideration show: 1) a material difference in fact or law exists from that which was presented to the Court; 2) the emergence of new material facts or a change of law; or 3) a manifest failure by the Court to consider material facts for dispositive legal arguments which were presented to the Court. Defendant has not met his burden for reconsideration. Defendant's primary arguments for reconsideration are that the document that I ordered produced, the "analyst's analysis," is protected by the deliberative

1 process privilege and is not properly part of a complete
2 administrative record as a matter of statutory construction.
3 However defendant did not raise these arguments in his earlier
4 filings. Defendant's motion is therefore **DENIED**.

5 Dated: November 19, 2009

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7 _____
8 Bernard Zimmerman
9 United States Magistrate Judge

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