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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FARID SHAHRIVAR,
Plaintiff,

v.

DAVID SYKES, et al.,
Defendants.

Case No. [10-cv-01029-RS](#)

**ORDER RE REPRESENTATION OF
PLAINTIFF**

Judgment in defendants’ favor was entered in this action on July 21, 2023. Plaintiff, not acting through his counsel of record, has submitted a letter requesting “permission to proceed pro se and file a request for relief.” Plaintiff’s counsel shall promptly file a substitution of counsel signed by himself and plaintiff to effect plaintiff’s substitution into the matter as a pro se litigant, or shall file a statement setting out any reasons plaintiff should not be permitted to proceed pro se.

Thereafter, if plaintiff has a good faith basis to file a motion for relief from the judgment, he may do so. Plaintiff is advised, however, that the matters to which he alludes in his letter do not appear to present grounds for setting the judgment aside. Plaintiff’s apparent contention that a breakdown in the attorney-client relationship precluded him from presenting his case is belied by the record. Plaintiff signed a 15-page declaration, attaching extensive exhibits, that was filed with the opposition approximately three weeks prior to the hearing on the motion for summary judgment. Plaintiff’s contention that he could have “answered every question at the hearing,” would not change the factual record nor the legal analysis upon which judgment was entered.

1 Moreover, regardless of what additional or different arguments plaintiff would have made at the
2 hearing, his dissatisfaction with his attorney, not raised as an issue at any time prior to entry of
3 judgment, is not grounds to set aside the judgment. Plaintiff, of course, retains the right to appeal
4 the judgment, and is advised that the time to file a notice of appeal is currently running.

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6 **IT IS SO ORDERED.**

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8 Dated: August 2, 2023

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RICHARD SEEBORG
Chief United States District Judge

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