UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GEORGE MORELLO,

Plaintiff,

v.

AMCO INSURANCE COMPANY,

Defendant.

Case No. 11-cv-06623-WHO

ORDER REFERRING PLAINTIFF'S RULE 60(b) MOTION AND ASSOCIATED BRIEFING TO MAGISTRATE JUDGE SPERO

Re: Dkt. Nos. 72, 73, 74, 75, 76, 77

On September 17, 2013, plaintiff George Morello filed a motion under Federal Rule of Civil Procedure 60(b) and Civil Local Rule 7-9(b), styled Motion for Relief From Magistrate's September 6, 2013 Nondispositive Order. Dkt. No. 72. Mr. Morello submitted associated briefing at Docket Numbers 73-77.

The September 6, 2013 order was issued by Magistrate Judge Joseph C. Spero, to whom all discovery matters have been referred. Dkt. No. 70. Despite styling his motion as one for relief from a magistrate's order, it is evident that Mr. Morello asks the Court to reconsider the prior order, based on purportedly newly discovered evidence. Dkt. No. ("Because of the newly acquired evidence the Court must reconsider its Order of September 6, 2013, and allow Mr. Morello's deposition to occur November 26, 2013 at the earliest."). Indeed, Mr. Morello moves under Rule 60(b) and Local Rule 7-9(b), which govern motions for reconsideration, not motions for relief from a magistrate's order. The Court accordingly refers this matter to Magistrate Judge Spero.

IT IS SO ORDERED.

Dated: September 19, 2013

WILLIAM H. ORRICK
United States District Judge