

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

ANDREW CARR,

No. C-12-2980 EMC

Plaintiff,

v.

**ORDER RE BRIEFING SCHEDULE  
FOR PLAINTIFF’S MOTION TO  
RECONSIDER**

BEVERLY HEALTH CARE AND  
REHABILITATION SERVICES, INC.,

**(Docket No. 67)**

Defendant.

Plaintiff has filed a “motion for leave to file a motion for reconsideration.” In his brief, Plaintiff explains that, although he is moving for relief pursuant to Federal Rule of Civil Procedure 59, he has filed a motion for leave to file a motion for reconsideration in order to comply with Civil Local Rule 7-9.


Civil Local Rule 7-9, however, has no application to the instant case. Rule 7-9(a) provides in relevant part that, “*before the entry of a judgment* adjudicating all of the claims and the rights and liabilities of all the parties in a case, any party may make a motion . . . requesting that the Judge grant the party leave to file a motion for reconsideration of any interlocutory order.” Civ. L.R. 7-9(a) (emphasis added). Here, there has been an entry of a judgment. Thus, Rule 7-9 and its provisions regarding briefing and a hearing are not implicated at all.

Accordingly, the Court deems Plaintiff’s brief filed at Docket No. 67 a motion to reconsider. Moreover, in the spirit of Civil Local Rule 7-3, the Court orders Defendant to file an opposition within two weeks from the date of this order, and Plaintiff to file a reply within three weeks from the

1 date of this order. After reviewing the briefing, the Court shall determine whether a hearing on the  
2 motion to reconsider is necessary.

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4 IT IS SO ORDERED.

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6 Dated: December 4, 2013

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9 EDWARD M. CHEN  
10 United States District Judge  
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