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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAUL M. HAYNES,
Plaintiff,
v.
CITY AND COUNTY OF SAN
FRANCISCO, et al.,
Defendants.

Case No. [13-cv-01567-MEJ](#)

**ORDER DENYING MOTION FOR
LEAVE TO FILE MOTION FOR
RECONSIDERATION**

Pending before the Court is Plaintiff Paul M. Haynes' Motion for Leave to File Motion for Reconsideration. Dkt. No. 72. In his Motion, Plaintiff states that he has exercised his right to revoke the settlement agreement, and he requests that the Court order Defendants to reinstatement his employment. The Court may permit a motion for reconsideration if Plaintiff shows:

- (1) That at the time of the motion for leave, a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order for which reconsideration is sought. The party also must show that in the exercise of reasonable diligence the party applying for reconsideration did not know such fact or law at the time of the interlocutory order; or
- (2) The emergence of new material facts or a change of law occurring after the time of such order; or
- (3) A manifest failure by the Court to consider material facts or dispositive legal arguments which were presented to the Court before such interlocutory order.

Civ. L.R. 7-9(b). Here, as the Court has already declared the settlement agreement valid and enforceable, Plaintiff's purported revocation is ineffective. *See* Dkt. Nos. 66, 71. Consequently, Plaintiff's Motion is DENIED.

The parties are reminded that, if the settlement ordinance has not become effective, they must file an updated status report by January 15, 2015. Mr. Haynes is also reminded that failure by him to comply with the terms of the settlement agreement may result in sanctions.

IT IS SO ORDERED.

Dated: January 5, 2015



MARIA-ELENA JAMES
United States Magistrate Judge