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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JAMES ELLIS JOHNSON,
Plaintiff,
v.
UNITED STATES OF AMERICA,
Defendant.

Case No. [13-cv-02405-JD](#)

ORDER

Re: Dkt. Nos. 270, 272

The Court terminates Plaintiff’s Motion re the Declaration of Margaret Baumgartner (Dkt. No. 272). The Court has already addressed the relevant issues. Dkt. No. 271.

The Court denies Plaintiff’s Request to file a “Motion of Reconsideration on a Number of the Issues the Court Ruled on March 16, 2016.” Dkt. No. 270. It rehashes arguments that plaintiff has already raised many times before, including at the last hearing on March 16, 2016. For example, plaintiff asks the Court to reconsider its holdings on various discovery issues and plaintiff’s ability to use an expert who is conflicted out of this matter. Plaintiff returns to the unavailability of a jury trial in this Federal Tort Claims Act case, which is a result required by statute. For the most part, plaintiff simply insists again in the Request that his prior arguments were right and that the Court should change its rulings. The Court has turned down this invitation on several occasions and does so again now. Plaintiff has not tendered any new facts or law that warrant reconsideration. *See* Civil L.R. 7-9(b), (c). The Request is denied.

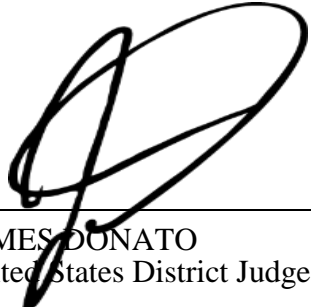
On a separate note, the Court is concerned about plaintiff’s ongoing use of derogatory and pejorative language about opposing counsel and to a lesser extent the Court. The Court has previously advised plaintiff about the standards of civility and courtesy required of all of litigants in this Court. Plaintiff has been specifically cautioned that the Court may strike “any future filings

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that include personal attacks on the parties, lawyers or Judges.” Dkt. No. 218 at 2. The Court reiterates that caution here and advises plaintiff again that future filings with offensive or disparaging comments about the defendant’s counsel or any others are likely to be stricken from the case record for failure to comply with the Court’s repeated instructions.

IT IS SO ORDERED.

Dated: April 1, 2016



JAMES DONATO
United States District Judge