

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NEIL B. GOLDBERG,

Plaintiff,

V.

JAMES CAMERON, et al.,

Defendants.

Case No.: 13-2493 JSC

**SUA SPONTE REQUEST FOR
RELATED CASE DETERMINATION
(Civil L.R. 3-12(c))**

On June 3, 2013, Plaintiff Neil B. Goldberg, proceeding pro se, filed a document entitled “Complaint to Vacate Judgment and for Damages FRCP, Rule 60(d)(1)” (Dkt. No. 1) under the caption for Case No. 05-cv-3534 RMW. This document was opened as a new civil action under the above titled caption.

Northern District of California Local Rule 3-12(c) provides: "Whenever a Judge believes that a case pending before that Judge is related to another case, the Judge may refer the case to the Judge assigned to the earliest- filed case with a request that the Judge assigned to the earliest-filed case consider whether the cases are related."

Plaintiff appears to be seeking to set aside the Judgment entered in Case No. 05-cv-3534 RMW on April 6, 2011 pursuant to Federal Rule of Civil Procedure 60(b). (No. 05-cv-

1 3534 RMW, Dkt. No. 215.) The Ninth Circuit Court of Appeals recently dismissed Plaintiff's
2 appeal of the challenged Judgment for failure to prosecute. (No. 05-cv-3534 RMW, Dkt. No.
3 239.)

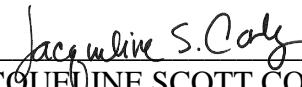
4 Accordingly, pursuant to Local Rule 3-12(c), this action is referred to the Honorable
5 Ronald M. Whyte for a determination of whether this action is related to *Goldberg v.*
6 *Cameron*, No. 05-cv-3534 RMW.

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8 **IT IS SO ORDERED.**

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10 Dated: June 18, 2013


11 JACQUELINE SCOTT CORLEY
12 UNITED STATES MAGISTRATE JUDGE

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