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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 NEIL B. GOLDBERG,
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13 Plaintiff,
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15 v.
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17 JAMES CAMERON, et al.,
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19 Defendants.
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Case No.: 13-2493 JSC

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

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

25 Northern District of California Local Rule 3-12(c) provides: "Whenever a Judge
26 believes that a case pending before that Judge is related to another case, the Judge may refer
27 the case to the Judge assigned to the earliest- filed case with a request that the Judge assigned
28 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-

United States District Court
Northern District of California

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

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12 JACQUELINE SCOTT CORLEY
13 UNITED STATES MAGISTRATE JUDGE
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