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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

TANIS JOCELYN WATT,

No. C 05-05234 SBA

Plaintiff,

ORDER

v.

[Docket Nos. 21, 25, 34]

DAVID LEE ROTH, *et al.*,

Defendants.

Before the Court are plaintiff's Motion to Reopen Case [Docket No. 21]; Motion to Reopen Case, Motion to Set Aside Order [Docket No. 25]; and Motion to Set Aside Judgment [Docket No. 34]. On September 5, 2008, the Court issued an Order which stated:

Accordingly, the Court ORDERS that plaintiff has until 14 days from the date of the entry of this Order to file with the Court a declaration under 28 U.S.C. § 1746 explaining: (1) why she delayed for over a year in filing her motions to reopen, due to circumstances beyond her control; and (2) why despite her due diligence in prosecuting her matter, she did not know about the Court's dismissal of her matter. **If plaintiff fails to file this declaration in the time provided, or if the declaration fails to establish that plaintiff is entitled to relief under Rule 60(b)(6), then the Court will deny her Motion to Reopen Case [Docket No. 21]; Motion to Reopen Case, Motion to Set Aside Order [Docket No. 25]; and Motion to Set Aside Judgment [Docket No. 34].**

Docket No. 36 at 6.

The Order was entered in the docket on September 5, 2008. Plaintiff's declaration was thus due or before September 19, 2008. Plaintiff did not file a declaration or any other type of response by this deadline or after it.

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ACCORDINGLY, the Court DENIES plaintiff's Motion to Reopen Case [Docket No. 21]; Motion to Reopen Case, Motion to Set Aside Order [Docket No. 25]; and Motion to Set Aside Judgment [Docket No. 34].

IT IS SO ORDERED.

September 22, 2008

Saundra B. Armstrong
Saundra Brown Armstrong
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA
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5

6 WATT et al,

7 Plaintiff,

8 v.

9 ROTH et al,

10 Defendant.
11 _____/

Case Number: CV05-05234 SBA

CERTIFICATE OF SERVICE

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
13 Court, Northern District of California.

14 That on September 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said
15 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
16 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
17 located in the Clerk's office.

18 Tanis Jocelyn Watt
19 c/o UMPA
20 P.O. Box 213
21 Palo Alto, CA 94302-213

22 Dated: September 24, 2008

23 Richard W. Wieking, Clerk
24 By: LISA R CLARK, Deputy Clerk
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