

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

THOMAS DEAL,

Plaintiff,

vs.

COUNTRYWIDE HOME LOANS, et al.,

Defendant.

Case No: C 09-1643 SBA

**ORDER DENYING PLAINTIFF'S
PRO SE MOTION FOR
RECONSIDERATION**

Docket 32

Plaintiff, who presently is represented by counsel, has filed a pro se motion for reconsideration (Docket 32) of this Court's Order issued on February 5, 2010 (Docket 29), which directed the parties to meet and confer regarding the tender of payment on Plaintiff's mortgage. It is well settled that the Court need not consider motions filed pro se where the party is represented by counsel. E.g., United States v. El-Alamin, 574 F.3d 915, 923 (8th Cir. 2009); Ennis v. LeFevre, 560 F.2d 1072 (2d Cir. 1977).¹ In addition, it is improper to file a motion for reconsideration without first obtaining leave of Court to do so. Civ. L.R. 7-9. Accordingly,

IT IS HEREBY ORDERED THAT Plaintiff's pro se motion for reconsideration is DENIED without prejudice. This Order terminates Docket 32.

IT IS SO ORDERED.

Dated: July 7, 2010


SAUNDRA BROWN ARMSTRONG
United States District Judge

¹ After Plaintiff filed his motion, his counsel filed a motion to withdraw. However, that motion has not yet been ruled upon. Unless and until leave to withdraw is granted, Plaintiff remains a represented party in this action.

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

4 THOMAS M DEAL,
5
6 Plaintiff,

7 v.

8 COUNTRYWIDE HOME LOANS et al,
9 Defendant.

10 _____/

Case Number: CV09-01643 SBA

11 **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 July 8, 2010, 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
16 said 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 Thomas M. Deal
19 2950 Union Avenue
20 Hayward, CA 94541

21 Dated: July 8, 2010

Richard W. Wieking, Clerk

22

By: LISA R CLARK, Deputy Clerk

23

24

25

26

27

28