

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

3
4 JAMES CHADAM and JENNIFER CHADAM,
5 individually and on behalf of
6 their minor children A.C. and
7 C.C.,

8 Plaintiffs,

9 v.

10 PALO ALTO UNIFIED SCHOOL
11 DISTRICT, a governmental entity
12 created and existing under the
13 laws of the State of California,

14 Defendant.
15 _____/

No. C 13-4129 CW
ORDER GRANTING
MOTION FOR LEAVE
TO FILE A MOTION
TO RECONSIDER
(Docket No. 52)

16 Plaintiffs James and Jennifer Chadam, on behalf of themselves
17 and their minor children A.C. and C.C. (the Chadams), move for
18 leave to file a motion to reconsider the Court's November 4, 2014
19 Order dismissing their Second Amended Complaint against Palo Alto
20 Unified School District (PAUSD). Having considered the papers
21 filed by the Chadams, the Court GRANTS their motion for leave to
22 file a motion for reconsideration.

23 I. Leave to File a Motion for Reconsideration

24 Civil Local Rule 7-9(a) provides, "No party may notice a
25 motion for reconsideration without first obtaining leave of Court
26 to file the motion." A request for leave to file a motion for
27 reconsideration may only be granted if the moving party shows: (1)
28 that "at the time of the motion for leave, a material difference
in fact or law exists from that which was presented to the Court
before entry of the interlocutory order for which reconsideration
is sought"; (2) "the emergence of new material facts or change of

1 law occurring after the time of such order"; or (3) "a manifest
2 failure by the Court to consider material facts or dispositive
3 legal arguments which were presented to the Court before such
4 interlocutory order." Civil L.R. 7-9(b).

5 II. Discussion


6 While the Court finds that the Chadams' motion for leave
7 fails to articulate any new material facts, any change of law
8 after the order was issued, or any failure by the Court to
9 consider material facts, the Court will nonetheless grant them
10 leave to file a motion for reconsideration that meets the standard
11 above. Within seven days, the Chadams may file a motion of no
12 more than ten pages. No opposition need be filed unless the Court
13 orders one, and the motion will not be granted unless an
14 opposition is called for.

15 CONCLUSION

16 For the reasons set forth above, the Court GRANTS the
17 Chadams' request for leave to file a motion for reconsideration
18 (Docket No. 52).

19
20 IT IS SO ORDERED.

21 Dated: November 21, 2014

22 
23 CLAUDIA WILKEN
24 United States District Judge
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