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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VISWANATH V. SHANKAR, et al.,
Plaintiffs,
v.
IMPERVA, INC., et al.,
Defendants.

Case No. 14-cv-01680-PJH

**ORDER RE MOTION FOR LEAVE TO
ALLEGE ADDITIONAL STATEMENTS**

United States District Court
Northern District of California

On October 15, 2015, plaintiff in the above-captioned case filed an amended complaint in accordance with the court's September 17, 2015 dismissal order, and also filed a "motion for leave to allege additional false and misleading statements and to modify the class period." In the motion, plaintiff acknowledges that the court's dismissal order stated that he "will not be permitted to add any new alleged false/misleading statements to any amended complaint without leave of court or the consent of all parties," and having failed to obtain defendants' consent to add additional false/misleading statements, he now seeks leave of court to do so.

However, though plaintiff's motion appears to seek leave to amend the complaint, plaintiff has not complied with Civil Local Rule 10-1, which requires that "[a]ny party filing or moving to file an amended pleading must reproduce the entire proposed pleading and may not incorporate any part of a prior pleading by reference." In the alternative, plaintiff's motion could be construed as a motion for reconsideration of the court's dismissal order, but plaintiff has not complied with Civil Local Rule 7-9, which requires the party seeking reconsideration to state the basis for the motion.

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Plaintiff's motion is thus DENIED without prejudice. Plaintiff may re-file his motion, but must clearly state the procedural basis under which the motion is brought, and must comply with any applicable requirements.

IT IS SO ORDERED.

Dated: October 19, 2015



PHYLLIS J. HAMILTON
United States District Judge