

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

3
4 ANDRE ROSSOUW,

5 Plaintiff,

6 v.

7 GOOGLE, INC.,

8 Defendant.
_____ /

No. C 14-03995 CW
ORDER DENYING
MOTION FOR LEAVE
TO FILE A MOTION
TO RECONSIDER
(Docket No. 18)

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10 Plaintiff Andre Rossouw moves to file a motion to reconsider
11 his application for a temporary restraining order (TRO) and
12 preliminary injunction (PI) against Defendant Google, Inc. The
13 Court construes Plaintiff's motion as a motion to grant leave to
14 file a motion for reconsideration of the Court's September 9, 2014
15 Order (Docket No. 15) denying his TRO and PI application (Docket
16 No. 3). Having considered the papers filed by Plaintiff, the
17 Court DENIES Plaintiff's motion for leave to file a motion for
18 reconsideration.

19 I. Leave to File a Motion for Reconsideration

20 Civil Local Rule 7-9(a) provides, "No party may notice a
21 motion for reconsideration without first obtaining leave of Court
22 to file the motion." A request for leave to file a motion for
23 reconsideration may only be granted if the moving party shows: (1)
24 that "at the time of the motion for leave, a material difference
25 in fact or law exists from that which was presented to the Court
26 before entry of the interlocutory order for which reconsideration
27 is sought"; (2) "the emergence of new material facts or change of
28 law occurring after the time of such order"; or (3) "a manifest

1 failure by the Court to consider material facts or dispositive
2 legal arguments which were presented to the Court before such
3 interlocutory order." Civil L.R. 7-9(b).

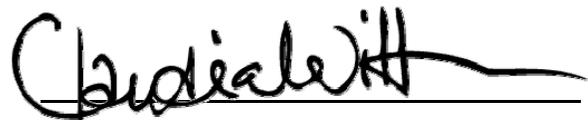
4 The Court finds that Plaintiff's motion for leave fails to
5 articulate any new material facts, any change of law after the
6 order was issued, or any failure by the Court to consider material
7 facts. Civil L.R. 7-9(b). Plaintiff's motion merely recites the
8 allegations and legal conclusions presented in his application for
9 a TRO and PI. The exhibits attached to this motion are either
10 unauthenticated or irrelevant, as they were in the original
11 application. Because Plaintiff has not shown the emergence of any
12 new material facts or law after this Court issued its order and he
13 has not identified any failure by this Court to consider material
14 facts, he has not shown grounds for leave to file a motion for
15 reconsideration under Local Rule 7-9(b)(2).

16 CONCLUSION

17 For the reasons set forth above, the Court DENIES Plaintiff's
18 request for leave to file a motion for reconsideration (Docket No.
19 18).

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21 IT IS SO ORDERED.

22 Dated: September 26, 2014



23 CLAUDIA WILKEN
24 United States District Judge

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