

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AMERICAN, ETC., INC.,
Plaintiff,
v.
APPLIED UNDERWRITERS CAPTIVE
RISK ASSURANCE COMPANY, INC.,
Defendant.

Case No. [17-cv-03660-DMR](#)

**ORDER STRIKING PETITIONER’S
OBJECTION TO DECEMBER 28, 2017
ORDER**

Re: Dkt. No. 30

Petitioner American Etc, Inc. dba Royal Laundry (“Royal”) filed a document entitled “Objection to Magistrate’s Recommendation to Confirm Arbitration Award” on January 4, 2018. [Docket No. 30.] In its filing, Royal purports to object pursuant to Federal Rule of Civil Procedure 72(b) to the court’s December 28, 2017 Order Granting Motion to Confirm Arbitration Award and Denying Motion to Vacate Arbitration Award (Docket No. 28). However, Rule 72(b) is inapplicable, as both parties consented pursuant to 28 U.S.C. § 636(c) “to have a United States magistrate judge conduct all further proceedings in this case, including . . . entry of final judgment,” and agreed that “appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.” [Docket Nos. 7 (Pet’r’s Consent), 15 (Resp’t’s Consent).] Accordingly, the January 4, 2018 Objection is stricken.

To the extent Royal seeks reconsideration of the December 28, 2017 Order, it must seek leave to file a motion for reconsideration in compliance with Local Rule 7-9. The court notes that pursuant to Local Rule 7-9(c), “[n]o motion for leave to file a motion for reconsideration may repeat any oral or written argument made by the applying party in support of or in opposition to

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the interlocutory order which the party now seeks to have reconsidered.”

IT IS SO ORDERED.

Dated: January 4, 2018

