**United States District Court** For the Northern District of California

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8	UNITED STATES DISTRICT COURT	
9	NORTHERN DISTRICT OF CALIFORNIA	
10	SAN JOSE DIVISION	
11	JOSEPH CIAMPI,	) Case No.: 09-CV-02655-LHK
12	Plaintiff, v.	ORDER DENYING REQUEST FOR CLARIFICATION
13	CITY OF PALO ALTO, a government entity; LYNNE JOHNSON, an individual; CHIEF	
14	DENNIS BURNS, an individual; OFFICER KELLY BURGER, an individual; OFFICER	
15	MANUEL TEMORES, an individual; OFFICER ) APRIL WAGNER, an individual; AGENT DAN )	
16 17	RYAN; SERGEANT NATASHA POWERS, individual,	
17	Defendants.	
10 19		)
20	Plaintiff has filed a request for elerification	of partians of the Court's May 11, 2011 order
20	Plaintiff has filed a request for clarification of portions of the Court's May 11, 2011 order granting in part and denying in part Defendants' motion for summary judgment. Plaintiff's filing	
22	essentially asks the Court to reconsider several determinations made in the May 11, 2011 order.	
22	Accordingly, the Court construes Plaintiff's request as a motion for leave to file a motion for	
23	reconsideration pursuant to Civil Local Rule 7-9, which governs requests for reconsideration of	
25	interlocutory orders.	
26	Civil Local Rule 7-9(b) provides that on a motion for leave to file a motion for	
20	reconsideration:	
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The moving party must specifically show:

(1) 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. The party also must show that in the exercise of reasonable diligence the party applying for reconsideration did not know such fact or law at the time of the interlocutory order; or

(2) The emergence of new material facts or a change of law occurring after the time of such order; or

(3) A manifest failure by the Court to consider material facts or dispositive legal arguments which were presented to the Court before such interlocutory order.

The Court has carefully reviewed Plaintiff's request and his objections to the Court's order.

However, Plaintiff has not pointed to material facts in the record or legal arguments previously

presented that the Court failed to consider or which would change the Court's analysis. Nor has

- Plaintiff raised new arguments which, through reasonable diligence, could not have been presented
- earlier. Accordingly, the Court DENIES Plaintiff's request.

## IT IS SO ORDERED.

Dated: May 20, 2011

cy H. Koh

LUCY H. KOV United States District Judge

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