



1 The moving party must specifically show:

2 (1) That at the time of the motion for leave, a material difference in fact or  
3 law exists from that which was presented to the Court before entry of the  
4 interlocutory order for which reconsideration is sought. The party also must show  
5 that in the exercise of reasonable diligence the party applying for reconsideration  
6 did not know such fact or law at the time of the interlocutory order; or

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

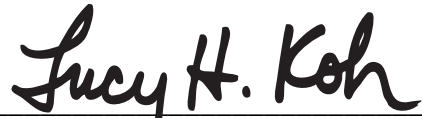
9 (3) A manifest failure by the Court to consider material facts or dispositive  
10 legal arguments which were presented to the Court before such interlocutory  
11 order.

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

13 However, Plaintiff has not pointed to material facts in the record or legal arguments previously  
14 presented that the Court failed to consider or which would change the Court's analysis. Nor has  
15 Plaintiff raised new arguments which, through reasonable diligence, could not have been presented  
16 earlier. Accordingly, the Court DENIES Plaintiff's request.

17 **IT IS SO ORDERED.**

18 Dated: May 20, 2011



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20 LUCY H. KOH  
21 United States District Judge  
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