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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FARID SHAHRIVAR,  
Plaintiff,  
v.  
CITY OF SAN JOSE, et al.,  
Defendants.

Case No. [10-cv-01029-PSG](#)

**ORDER DENYING MOTION TO  
VACATE JUDGMENT**

**(Re: Docket No. 123)**

Before the court is a motion by Plaintiff Farid Shahrivar under Fed. R. Civ. P. 60(b)(6) and 72(b) to vacate its judgment in favor of Defendants City of San Jose and a number of City employees.<sup>1</sup> The motion takes issue with the court’s rulings in its order granting Defendants’ motion to dismiss.<sup>2</sup> Although Civ. L.R. 7-2(b) requires that moving papers, including those in support of Rule 60 motions, “not exceed[] 25 pages in length,” Shahrivar’s papers are 28 pages long.<sup>3</sup> Shahrivar did not seek leave to file additional pages, and he is represented by experienced counsel. Also, because the parties here have consented to magistrate judge jurisdiction,<sup>4</sup> Fed. R. Civ. P. 72(b) does not apply. Because the Ninth Circuit has made clear that district courts should hold parties to the federal and local civil rules,<sup>5</sup> Shahrivar’s motion is DENIED.

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<sup>1</sup> See Docket No. 123; see also Docket No. 121.

<sup>2</sup> See Docket No. 120.

<sup>3</sup> See Docket No. 123.

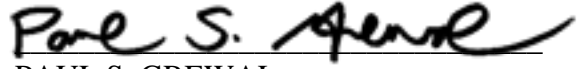
<sup>4</sup> See Docket No. 47.

<sup>5</sup> See *In re Corrinet*, 645 F.3d 1141, 1146 (9th Cir. 2011) (citing *Hollingsworth v. Perry*, 558 U.S. 183, 191 (2010)); *United States v. Marks*, 530 F.3d 799, 808 (9th Cir. 2008); *SEC v. McCarthy*,

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**SO ORDERED.**

Dated: December 9, 2015



PAUL S. GREWAL  
United States Magistrate Judge

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322 F.3d 650, 657 (9th Cir. 2003); *Savarese v. Edrick Transfer & Storage, Inc.*, 513 F.2d 140, 147 (9th Cir. 1975); *see also* Fed. R. Civ. P. 83(b) (“A judge may regulate practice in any manner consistent with federal law, rules adopted under 28 U.S.C. §§ 2072 and 2075, and the district's local rules.”).