



1 Rule 60(b) provides for extraordinary relief and may be invoked only upon a  
2 showing of exceptional circumstances. *Engleson v. Burlington N.R. Co.*, 972 F.2d  
3 1038, 1044 (9th Cir.1994) (citing *Ben Sager Chem. Int'l v. E. Targosz & Co.*, 560  
4 F.2d 805, 809 (7th Cir. 1977)). Under Rule 60(b), the court may grant reconsideration  
5 based on: (1) mistake, inadvertence, surprise or excusable neglect; (2) newly  
6 discovered evidence which by due diligence could not have been discovered before  
7 the court's decision; (3) fraud by the adverse party; (4) the judgment is void; (5) the  
8 judgment has been satisfied; or (6) any other reason justifying relief. Fed. R. Civ. P.  
9 60(b). That last prong is "used sparingly as an equitable remedy to prevent manifest  
10 injustice and is to be utilized only where extraordinary circumstances prevented a  
11 party from taking timely action to prevent or correct an erroneous judgment." *Delay*  
12 *v. Gordon*, 475 F.3d 1039, 1044 (9th Cir. 2007).

13 Though Plaintiff seeks relief from judgment related to the March 2, 2016  
14 transfer order, no judgment has been entered in this action. Plaintiff mostly appears  
15 to argue for the substantive relief she seeks in her complaint, none of which has been  
16 litigated or foreclosed. Following the transfer, the Court granted Plaintiff's request  
17 to proceed *in forma pauperis*, and a summons was issued. Plaintiff need only serve  
18 the complaint now to proceed with her litigation. Consequently, there are no grounds  
19 for relief to be sought under Rule 60(b) for relief from judgment.

20 Because Petitioner fails to demonstrate entitlement to reconsideration, the  
21 Court **DENIES** the motion in its entirety. (ECF No. 18.)

22 **IT IS SO ORDERED.**

23  
24 **DATED: August 11, 2016**

25   
26 **Hon. Cynthia Bashant**  
27 **United States District Judge**