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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RIGHTHAVEN LLC, a Nevada limited-
liability company,

Plaintiff,

v.

GARRY NEWMAN, et al.,

Defendants.

2:10-CV-1762 JCM (PAL)

ORDER

Presently before the court is plaintiff Righthaven LLC’s emergency motion to reconsider the court’s order (doc. #22) granting defendant’s motion to dismiss for lack of jurisdiction.(Doc. # 23). Defendant Newman filed an opposition. (Doc. #24). Plaintiff did not file a reply.

On July 22, 2011, the court entered an order granting defendant Newman’s motion to dismiss (doc. #19). (Doc. #22). The court granted the motion to dismiss pursuant to Local Rule 7-2(b), based on plaintiff’s failure to file a timely response by July 15, 2011 to defendant’s motion. In addition, prior to dismissal, the court weighed the factors identified in *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995), and found dismissal to be appropriate.

“Reconsideration is appropriate if the district court (1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.” *School Dist. No. 1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993); *see* Fed. R. Civ. P. 59(e); *see also* Fed. R. Civ. P. 60(b).

