

1 HONORABLE RICHARD A. JONES  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 RICHARD J BAKER,

11 Plaintiff,

12 v.

13 MICROSOFT CORPORATION, et  
14 al.,

15 Defendants.  
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CASE NO. C16-396 RAJ

ORDER

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18 This matter comes before the Court on Plaintiff's request for an indicative ruling  
19 on his untimely motion for reconsideration. Dkt. # 150. The Court **DENIES** the motion.

20 On January 3, 2017, the Court granted Defendants' motion for summary judgment.  
21 Dkt. # 135. According to Local Rule 7(h), Plaintiff then had fourteen days to seek  
22 reconsideration of this Order. W.D. Wash. Local Rules LCR 7(h)(2). On January 24,  
23 well outside the fourteen day deadline, Plaintiff requested leave to file his motion for  
24 reconsideration. Dkt. # 136. The Court denied this motion. Dkt. # 149. The Court gave  
25 two justifications for this denial: 1) Plaintiff did not carry his burden to show why he  
26 could not have discovered "new material fact evidence" in a timely manner, and 2)  
27 Plaintiff's appeal divested this Court of jurisdiction.

1 Plaintiff now requests that the Court rule on his untimely motion for  
2 reconsideration pursuant to Federal Rule of Civil Procedure 62.1. Dkt. # 150. Plaintiff is  
3 essentially seeking an end-run around his missed deadline. The Court did not deny his  
4 motion for leave solely because of the appeal, but also because the motion was meritless.  
5 The Court will not allow Plaintiff to circumvent this district's Local Rules. The Court  
6 denied his motion for leave to file an untimely motion for reconsideration (Dkt. ## 136,  
7 149) and therefore cannot rule on the untimely motion for reconsideration (Dkt. # 142).

8 Accordingly, the Court **DENIES** Plaintiff's motion. Dkt. # 150.

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10 Dated this 31st day of March, 2017.

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14 The Honorable Richard A. Jones  
15 United States District Judge  
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