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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 SANDRA L. FERGUSON,

11 Plaintiff,

12 v.

13 BRIAN J. WAID AND THE WAID
14 MARITAL COMMUNITY,

15 Defendants.

Case No. C17-1685 RSM

ORDER DENYING SECOND MOTION
FOR RECONSIDERATION

16 This matter comes before the Court on Plaintiff's January 25, 2018, "Motion for
17 Reconsideration and For Three-Day Extension of Deadline..." Dkt. #30. This is Plaintiff's
18 second Motion for Reconsideration. Plaintiff's first Motion for Reconsideration (Dkt. #27)
19 asked the Court to reconsider the January 12, 2018, Order Granting in Part Plaintiff's Motion
20 for Relief from Deadline (Dkt. #24), which gave Plaintiff an extra week to file a response brief
21 to Defendant's Motion for Judgment on the Pleadings (Dkt #16). The Court denied Plaintiff's
22 first Motion for Reconsideration, and noted that the deadline for Plaintiff to file her response
23 brief had passed. Dkt. #28. Plaintiff now asks the Court to reconsider its decision and to
24 accept her Response brief three days after the deadline. Dkt. #30. The Court has determined
25 that it can rule on the instant Motion without a response from Defendants. *See* LCR 7(h)(3).
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1 “Motions for reconsideration are disfavored.” LCR 7(h)(1). “The court will ordinarily
2 deny such motions in the absence of a showing of manifest error in the prior ruling or a
3 showing of new facts or legal authority which could not have been brought to its attention
4 earlier with reasonable diligence.” *Id.* “A motion for relief from a deadline should, whenever
5 possible, be filed sufficiently in advance of the deadline to allow the court to rule on the motion
6 prior to the deadline.” LCR 7(j). Parties should not assume that the motion will be granted and
7 must comply with the existing deadline unless the court orders otherwise.” *Id.*

9 The Court previously granted a week-long extension for Plaintiff to file her Response
10 brief. Dkt. #24 at 2. The length of that extension was based on the limited information
11 provided to the Court by Plaintiff. Then Plaintiff filed her first Motion for Reconsideration.
12 The Court found it procedurally improper because Plaintiff did not demonstrate error in the
13 Court’s prior ruling or submit new facts or legal authority. Dkt. #28 at 2–3. Instead, Plaintiff
14 was really seeking relief from a deadline. The Court addressed the merits of such a motion,
15 stating that Plaintiff had made it impossible for the Court to rule on that request prior to the
16 deadline. *Id.* at 2.

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18 The same is true with the Second Motion for Reconsideration. Although titled as such,
19 Plaintiff again fails to demonstrate error in the Court’s prior ruling or to submit new facts or
20 legal authority. Instead, she respectfully requests the Court “grant a three-day extension and
21 accept and consider her now-complete response brief, extend the noting date for Defendant’s
22 motion by three days, so that Defendant has an equal three-day extension to file a Reply, and
23 consider all of the filings by both parties before deciding Defendant’s wholly dispositive
24 motion for Judgment on the pleadings.” Dkt. #30 at 2.
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1 Plaintiff presents no legal authority to support her request. She cites to no rule
2 permitting the extension of a deadline after it has passed, and no case where a Court has
3 granted such a request under similar circumstances. Plaintiff argues she “was diligent, but
4 simply was not able to meet her obligations, as a lawyer, to her own clients, while meeting the
5 deadline imposed by the Court, even with the one-week extension.” *Id.*
6

7 After a review of the applicable Local Rules above, it is clear to the Court that this
8 Motion cannot be granted. Plaintiff does not meet the standard for either a motion for
9 reconsideration or for relief from a deadline. The Court notes that Plaintiff has been given a
10 prior extension of time to file her response, and the record does not demonstrate that she has
11 been diligent in either preparing her response brief or notifying the Court of her need for more
12 time. Accordingly, the Court denies this Motion.
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14 Having reviewed the relevant briefing and the remainder of the record, the Court hereby
15 finds and ORDERS that Plaintiff’s Second Motion for Reconsideration (Dkt. #30) is DENIED.
16 The Court will not consider Plaintiff’s untimely Response (Dkt. #29).
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18 DATED this 29 day of January 2018.

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21 RICARDO S. MARTINEZ
22 CHIEF UNITED STATES DISTRICT JUDGE
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