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APR 18 2011
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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RICHARD W. WIEKING
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OAKLAND

UNITED STATES DISTRICT COURT FOR
NORTHERN DISTRICT OF CALIFORNIA

FILED
APR 18 2011
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Sharon Bridgewater,

Plaintiff

Vs.

Shawn Bankon, Jane Creason
Kimball, Tirey & St. John, LLP and
Does 1 thru 50 inclusive,

Defendants,

CASE No. C10-00704(SBA)

EX-PARTE

MOTION TO RE-OPEN THE CASE

DATE: July 26, 2011

TIME: 1:00 P.M.

DEPART: Courtroom #1 4th floor

Sharon Bridgewater vs. Shawn Bankson, Jane Creason, Kimball, Tirey & St. John LLP
C10-00704(SBA)
Motion to Re-open the case

MOTION TO RE-OPEN CASE

Plaintiff Sharon Bridgewater respectfully request that this court to re-open this case, the case has merit.

I. INTRODUCTION

PLAINTIFF MOTION FOR ORDER TO RE-OPEN THE CASE

Plaintiff pro se, Sharon Bridgewater respectfully request that the Court review and vacate it's order issued on 8-24-2010. The motion and upon such just term, the court may relieve Sharon Bridgewater from a final judgment and/or order, or proceeding for the following reasons: (1) mistake and/or inadvertence, or excusable neglect from Judgment(s).

II. STATEMENT OF CASE

The Plaintiff filed this complaint in Feb. 18, 2010. Here in this case, the Plaintiff was given an Order to pay the filing fee, or the court would dismissed the case for failing to pay the filing fee.

In discussing the standard for excusable neglect, the Supreme Court held that the issue is "an equitable one," and that a court should consider "all relevant circumstances surrounding the party's omission." Pioneer Investment Services Co. v. Brunswick Associates Ltd. Partnership, 507 U.S. 380, 395 (1993).

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1 The relevant factors to consider include (1) the danger of prejudice to the non-moving
2 party; (2) the length of the delay and its potential impact on judicial proceedings; (3) the reason
3 for the delay, including consideration of whether it was within the reasonable control of the
4 movant; and (4) whether the movant acted in good faith.
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8 **II. ARGUMENTS TO RE-OPEN THE CASE**
9

10 In support of this motion to vacate the Judgment dated and reopen this case, THE
11 DEFENDANTS DID CRIMINAL ACTS, WHICH CAUSED THE PLAINTIFF TO BE IN THIS
12 POSITION TODAY.
13

14
15 **IV. CONCLUSION**
16

17 For the above reasons, Plaintiffs' Motion to vacate order on 8/24/2010 should be granted.
18

19 **MEMORANDUM AND POINTS IN**

20 **SUPPORT OF MOTION TO RE-OPEN THE CASE**
21

22 The Plaintiff claim have merit, and she should be allowed opportunity to be heard, and the case
23 should be opened. April 18, 2011 (SR)
24 April 27, 2011 (SD)

25 DATED: MARCH 9, 2011

26
27
28 
SHARON BRIDGEWATER

*Sharon Bridgewater vs. Shawn Bankson, Jane Creason, Kimball, Tirey & St. John LLP
C10-00704(SBA)
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