



Legal Document

California Northern District Court

Case No. 4:10-cv-03022-CW

Bridgewater v. Hayes Valley Limited Partnership et al

Document 102



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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SHARON BRIDGEWATER,

Plaintiff,

v.

HAYES VALLEY LIMITED PARTNERSHIP, et
al.,

Defendants.

No. 10-03022 CW

ORDER DENYING
PLAINTIFF'S
MOTION FOR
RECONSIDERATION
TO VACATE OR
ALTER JUDGMENT

Plaintiff Sharon Bridgewater moves for reconsideration and to vacate or alter a judgment pursuant to Federal Rule of Civil Procedure 59(e). This motion seeks to vacate or alter the Court's February 22, 2011 order granting Defendants' motions to dismiss Plaintiff's First Amended Complaint and to declare Plaintiff a vexatious litigant and denying Plaintiff's motion to amend her complaint.

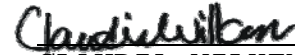
Rule 59(e) provides that "any motion to alter or amend a judgment shall be filed no later than 10 days after entry of judgment." Fed. R. Civ. P. 59(e). Rule 59(e) motions are interpreted as motions for reconsideration, and are appropriate if the district court "(1) is presented with newly discovered evidence, (2) committed clear error or the initial decision was

1 manifestly unjust, or (3) if there is an intervening change in
2 controlling law." School Dist. No. 1J, Multnomah County, Oregon v.
3 AcandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993).

4 In her motion, Plaintiff repeats many of the arguments
5 addressed in the February 22, 2011 order. She also argues the
6 motion is supported by another amended complaint she wishes to file
7 against Defendants for violations of the Federal False Claims Act.
8 Plaintiff's arguments do not meet any of the requirements for
9 reconsideration. Therefore, Plaintiff's motion for reconsideration
10 is denied. The new amended complaint that Plaintiff wishes to file
11 shall be returned to Plaintiff. Plaintiff did not seek leave to
12 file it and cannot file it as a matter of right. See Federal Rule
13 of Civil Procedure 15(a). The above entitled case is closed.

14
15 IT IS SO ORDERED.

16
17 Dated: 12/6/2011



CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

BRIDGEWATER,

Plaintiff,

v.

HAYES VALLEY LIMITED PARTNERSHIP et
al,

Defendant.

Case Number: CV10-03022 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on December 6, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sharon Bridgewater
Bridgewater and Company Inc
In Care of: Sharon Bridgewater
965 Mission Street, Suite 409
San Francisco, CA 94104

Dated: December 6, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

United States District Court
For the Northern District of California