

1 GEORGE S. CARDONA
Acting United States Attorney
2 LEON W. WEIDMAN
Assistant United States Attorney
3 Chief, Civil Division
ROGER E. WEST (State Bar No. 58609)
4 Assistant United States Attorney
First Assistant Chief, Civil Division
5 DAVID A. DeJUTE (State Bar No. 153527)
Assistant United States Attorney
6 Room 7516, Federal Building
300 North Los Angeles Street
7 Los Angeles, California 90012
Telephone: (213) 894-2461/2574
8 Facsimile: (213) 894-7819
Email: roger.west4@usdoj.gov
9 david.dejute@usdoj.gov

10 Attorneys for Defendants

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13 SOUTHERN DIVISION

14 CAPTAIN PAMELA BARNETT, et al.,) No. SACV 09-00082 DOC (ANx)
15)
16 Plaintiffs,)
17 v.) **OPPOSITION TO MOTION FOR**
18 BARACK H. OBAMA, et al.) **RECONSIDERATION**
19 Defendants.) [NO HEARING DATE YET NOTICED BY
PLAINTIFF]
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1 Defendants, by and through their undersigned counsel, hereby
2 set forth their opposition to Plaintiffs' "Motion for
3 Reconsideration of Order to Dismiss Under Rule 59E and Rule 60."

4 Rule 7-18 of the Local Rules of the Central District of
5 California provides as follows:

6 "Motion for Reconsideration. A motion for
7 reconsideration of the decision on any motion
8 may be made only on the grounds of (a) a
9 material difference in fact or law from that
10 presented to the Court before such decision
11 that in the exercise of reasonable diligence
12 could not have been known to the party moving
13 for reconsideration at the time of such
14 decision, or (b) the emergence of new material
15 facts or a change of law occurring after the
16 time of such decision, or (c) a manifest
17 showing of a failure to consider material facts
18 presented to the Court before such decision.

19 No motion for reconsideration shall in any
20 manner repeat any oral or written argument made
21 in support of or in opposition to the original
22 motion."

23 Plaintiffs' Motion for Reconsideration completely violates, both
24 procedurally and substantively, the above-quoted Local Rule, and,
25 accordingly, should be summarily denied.

26 Additionally, the Motion should be denied because it violates
27 Local Rule 6-1, which requires that a Notice of Motion be filed,
28 setting the matter for hearing no earlier than 21 days after

1 filing. No such Notice of Motion has been served upon undersigned
2 counsel, and no such hearing date has been noticed.

3 Finally, the Motion should be denied because it violates Local
4 Rule 7-3, which requires that a conference of counsel take place
5 prior to the filing of the Motion. No such conference took place
6 in this case.

7 For all of the foregoing reasons, the Motion should be denied.

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Respectfully submitted,

DATED: November 13, 2009

GEORGE S. CARDONA
Acting United States Attorney
LEON WEIDMAN
Assistant United States Attorney
Chief, Civil Division

/s/ Roger E. West
ROGER E. WEST
Assistant United States Attorney
First Assistant Chief, Civil Division

/s/ David A. DeJute
DAVID A. DeJUTE
Assistant United States Attorney

Attorneys for Defendants