

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Khan v. SAP Labs, LLC

No. 18-cv-07490-BLF (N.D. Cal. Mar. 6, 2023) · No. 18-cv-07490-BLF · Decided March 6, 2023

SUMMARY

The United States District Court for the Northern District of California denied Muhammad Khan’s motion to alter or amend the judgment under Federal Rule of Civil Procedure 59(e) and for relief from judgment under Rule 60(b). The court held that Khan’s motion was timely under the prisoner mailbox rule but failed to establish clear error, newly discovered evidence, an intervening change in law, or extraordinary circumstances. The court also accepted SAP’s late opposition because of confusion caused by the docketed response deadline.

CASE DETAILS

COURT	United States District Court for the Northern District of California
WRITING FOR THE COURT	Beth Labson Freeman
JURISDICTION	United States District Court for the Northern District of California
DECIDED	March 6, 2023
DOCKET	18-cv-07490-BLF
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved under Federal Rules of Civil Procedure 59(e) and 60 for reconsideration of, or relief from, the August 30, 2022 judgment entered for defendants after dismissal of all but one claim and summary judgment for SAP Labs, LLC on the remaining claim.
STANDARD OF REVIEW	A Rule 59(e) motion generally requires newly discovered evidence, clear error, or an intervening change in controlling law and is an extraordinary remedy to be used sparingly. Relief under Rule 60(b)(6) requires extraordinary circumstances justifying relief.
PRECEDENTIAL VALUE	Unpublished district court order; persuasive value only
PARTIES	Muhammad Khan v. SAP Labs, LLC, Jenny Le, Sanjay Shirole

TOPICS

- motion for reconsideration
- summary judgment
- employment discrimination
- civil procedure
- evidence

PRACTICE AREAS

Civil procedure

Employment law

Employment discrimination

Federal courts

QUESTIONS PRESENTED

1. Whether Khan's motion to alter or amend the August 30, 2022 judgment was timely under Rule 59(e), including under the prisoner mailbox rule.
2. Whether Khan established newly discovered evidence, clear error, or an intervening change in controlling law warranting relief under Rule 59(e).
3. Whether the court should exercise discretion to consider SAP's untimely opposition to the Rule 59(e) motion.
4. Whether Khan demonstrated extraordinary circumstances warranting relief from judgment under Rule 60(b)(6).

HOLDINGS

1. A prisoner's Rule 59(e) motion is deemed filed when delivered to prison authorities for forwarding, and Khan's motion was timely under that mailbox rule because the record showed delivery within 28 days after entry of judgment.
2. Khan was not entitled to relief under Rule 59(e) because he identified no newly discovered evidence, intervening change in controlling law, or clear error.
3. The court exercised its discretion to consider SAP's untimely opposition because a docketing error created confusion about the response deadline.
4. Khan was not entitled to relief from judgment under Rule 60(b)(6) because he failed to demonstrate extraordinary circumstances justifying relief.

KEY QUOTATIONS

"Although Rule 59(e) permits a district court to reconsider and amend a previous order, the rule offers an extraordinary remedy, to be used sparingly in the interests of finality and conservation of judicial resources."
(at 2)

"Having carefully considered all of Khan's asserted grounds for relief, the Court finds that Khan has not established any error by the Court, let alone clear error warranting the 'extraordinary remedy' of relief under Rule 59(e)." (at 4)

"That disagreement does not provide a basis for granting relief from judgment." (at 5)

FACTUAL BACKGROUND

Khan claimed that he experienced discrimination, harassment, retaliation, and other unlawful treatment while employed by SAP Labs and supervised by Sanjay Shirole. He litigated the action pro se and from prison after being convicted of setting fire to Shirole's home while Shirole and his family were inside. The court ultimately dismissed all but one claim and granted summary judgment for SAP on the remaining claim. Khan's

reconsideration motion challenged procedural rulings and the court's treatment of record evidence, including evidence concerning his disability leave.

PROCEDURAL HISTORY

Khan asserted employment-related discrimination, harassment, retaliation, and other claims against SAP Labs, LLC, Sanjay Shirole, and Jenny Le. The court dismissed all but one claim on the merits and granted summary judgment for SAP on the remaining claim. After initially granting summary judgment on May 20, 2022, the court vacated that order to consider Khan's assertion that he had not received an adequate opportunity to oppose the motion, then entered a final summary judgment order on August 30, 2022. Khan sought to alter or amend the judgment and obtain relief from judgment; the court denied both forms of relief.

DISPOSITION

other

CASES CITED

- Kona Enterprises, Inc. v. Estate of Bishop, 229 F.3d 877, 890 (9th Cir. 2000)
- Wells Fargo Bank, N.A. v. Mahogany Meadows Ave. Tr., 979 F.3d 1209, 1218 (9th Cir. 2020)
- Carter v. United States, 973 F.2d 1479, 1488 (9th Cir. 1992)
- Houston v. Lack, 487 U.S. 266, 276 (1988)
- Douglas v. Noelle, 567 F.3d 1103, 1108-09 (9th Cir. 2009)
- School District No. 1J, Multnomah County, Oregon v. ACandS, Inc., 5 F.3d 1255, 1263 (9th Cir. 1993)