

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON

Gary Levy v. Google LLC

Levy · No. C23-1678JLR · Decided December 3, 2025

SUMMARY

The United States District Court for the Western District of Washington denies Gary Levy’s motion for reconsideration of an order accepting his untimely response to Google LLC’s motion for summary judgment. The court finds no manifest error, new circumstances, or intervening change in law, accepts one exhibit as timely, rejects later untimely submissions, and declines to grant further extensions.

CASE DETAILS

COURT	United States District Court for the Western District of Washington
WRITING FOR THE COURT	James L. Robart
JURISDICTION	United States District Court for the Western District of Washington
DECIDED	December 3, 2025
DOCKET	C23-1678JLR
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved for reconsideration of the court's November 18, 2025 order accepting his untimely response to Google's motion for summary judgment. The court denied reconsideration and rejected later untimely submissions.
STANDARD OF REVIEW	Under Local Rule W.D. Wash. LCR 7(h), reconsideration is ordinarily denied absent manifest error, new facts, or new legal authority that could not have been presented earlier with reasonable diligence.
PRECEDENTIAL VALUE	Unknown

TOPICS

- motion for reconsideration
- summary judgment
- civil procedure

PRACTICE AREAS

- civil procedure

QUESTIONS PRESENTED

1. Whether Levy demonstrated manifest error, new facts, or intervening legal authority warranting reconsideration of the court's November 18, 2025 order.
2. Whether Levy's November 19 exhibit and later submissions were timely and should be considered in connection with Google's motion for summary judgment.

HOLDINGS

1. Reconsideration was unwarranted because Levy did not identify manifest error, present qualifying new circumstances or legal authority, or show an intervening change in law.
2. The exhibit filed on November 19, 2025 was timely, but the submissions filed between November 20 and December 1, 2025 were untimely and would not be considered in response to the court's prior order or Google's summary-judgment motion.

KEY QUOTATIONS

“Motions for reconsideration are disfavored[,]” and the court “will ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to its attention earlier with reasonable diligence.” (at 2)

“The court has reviewed Mr. Levy’s motion and concludes that he has not presented new circumstances, identified a court error, or shown an intervening change in law that would justify reconsideration of the court’s November 18, 2025 Order.” (at 2)

FACTUAL BACKGROUND

Levy filed his response to Google's summary-judgment motion on November 17, 2025, after the deadline. The court accepted the response and ordered him to file the exhibits cited in it by November 19; Levy filed one exhibit by that date and made four additional submissions between November 20 and December 1. His reconsideration motion again cited health issues, alleged errors in Google's record, and asserted that prior orders did not fully address the facts he provided.

PROCEDURAL HISTORY

Gary Levy filed an untimely response to Google LLC's motion for summary judgment. The court accepted the response, ordered Levy to file cited exhibits by November 19, 2025, and later received additional submissions. Levy then moved for reconsideration, seeking relief including correction of the docket, redaction of personal health information, and another extension of time. The court denied the motion.

DISPOSITION

denied

CASES CITED

- Kona Enters., Inc. v. Est. of Bishop, 229 F.3d 877, 890 (9th Cir. 2000)

OPINION

Levy

PER CURIAM.

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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF WASHINGTON

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AT SEATTLE

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10 GARY LEVY, CASE NO. C23-1678JLR

11 Plaintiff, ORDER v. 12

GOOGLE LLC,

13 Defendant. 14

15 Before the court is pro se Plaintiff Gary Levy's filing titled "Plaintiff's Ex Parte 16 Motion
Defect Record Forces Full Stop Input, Output Errata Require Rev, No Adversary 17 Renders Total
Failure," which the court construes as a motion for reconsideration of the 18 court's November 18,
2025 Order granting Mr. Levy's request to accept his untimely 19 response to Defendant Google
LLC's ("Google") motion for summary judgment. (Mot. 20 (Dkt. # 76); 11/18/25 Order (Dkt. #
69); see also MSJ (Dkt. # 32).) Google opposes Mr. 21 Levy's motion. (Resp. (Dkt. # 78).) Mr.
Levy petitions the court for relief previously 22 addressed in prior court orders, including to
"correct" the docket, redact personal health 1 information ("PHI"), and further extend Mr. Levy's
deadline to respond to Google's 2 motion for summary judgment. (Mot. at 6; see, e.g., 10/28/25
Order (Dkt. # 58) at 3-5 3 (addressing Mr. Levy's arguments pertaining to some of the relief he
currently seeks).) 4 Being fully advised, the court DENIES Mr. Levy's motion for reconsideration.
5 Here, Mr. Levy untimely filed his response to Google's motion for summary 6 judgment on
November 17, 2025. (MSJ Resp. (Dkt. # 68).) The court accepted the 7 untimely filing and
ordered Mr. Levy to file the exhibits he cited in his response by

8 November 19, 2025. (See 11/18/25 Order). On November 19, 2025, Mr. Levy filed a

9 single exhibit labeled "Exhibit 63-1-'Clawback'". (See Dkt. # 70.) Between November 10 20,
2025, and December 1, 2025, Mr. Levy filed four additional submissions with the 11 court. (See
Dkt. ## 71, 72, 74, 77 (showing that Mr. Levy filed a copy of an email chain 12 with opposing
counsel and three submissions further describing and documenting his 13 pursuit of medical
care).) 14 "Motions for reconsideration are disfavored[.]" and the court "will ordinarily 15 deny
such motions in the absence of a showing of manifest error in the prior ruling or a 16 showing of
new facts or legal authority which could not have been brought to its attention 17 earlier with
reasonable diligence." Local Rules W.D. Wash. LCR 7(h); see also Kona 18 Enters., Inc. v. Est. of
Bishop, 229 F.3d 877, 890 (9th Cir. 2000) (citation omitted) 19 (setting forth that amending a
court's prior order is an "extraordinary remedy, to be used 20 sparingly"). The court has reviewed

Mr. Levy's motion and concludes that he has not 21 presented new circumstances, identified a court error, or shown an intervening change in 22 law that would justify reconsideration of the court's November 18, 2025 Order. Rather, 1 Mr. Levy again describes his ongoing health issues, argues that the record provided by 2 Google contains errors, and asserts that the court's prior orders do not fully 3 "comprehend" the facts that Mr. Levy provided. (Mot. at 2.) Therefore, the court denies 4 Mr. Levy's motion for reconsideration. To the extent Mr. Levy intends for the exhibit he 5 filed on November 19, 2025 to be responsive to the court's November 18, 2025 Order 6 and/or Google's motion for summary judgment, the court considers this exhibit to be 7 timely. To the extent Mr. Levy intends for the documents he filed between November 8 20, 2025, and December 1, 2025, to be responsive to the court's November 18, 2025 9 Order and/or Google's motion for summary judgment, the court rejects these submissions 10 as untimely. 11 In conclusion, for the reason described herein, the court DENIES Mr. Levy's 12 motion for reconsideration (Dkt. # 76) and rejects any untimely filed submissions in 13 opposition to Google's motion. Furthermore, the court puts the parties on notice that it 14 will not consider any additional late-filed submissions in support of or in opposition to 15 Google's motion for summary judgment and will not grant any additional extensions of 16 deadlines pertaining to the pending motion for summary judgment. 17 Dated this 3 rd day of December, 2025. A 18

JAMES L. ROBART

19 United States District Judge 20 21 22