

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

Linda Cook v. Ben Hosseinzadeh et al.

No. 2:25-cv-02013-JHC, United States District Court for the Western District of Washington (January 16, 2026)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 WESTERN DISTRICT OF
WASHINGTON AT TACOMA 9 10 LINDA COOK, CASE NO. 2:25-cv-02013-JHC 11 Plaintiff,
ORDER DENYING MOTION FOR 12 v. RECONSIDERATION (DKT. NO 23) 13 BEN
HOSSEINZADEH et al., 14 Defendant. 15 16 This matter comes before the Court on Plaintiff’s
motion for reconsideration (Dkt. No. 17 23) of District Judge John H. Chun’s order denying
recusal (Dkt.

No. 13) and this Court’s order 18 affirming denial of recusal (Dkt. No. 14). 19 “Motions for
reconsideration are disfavored. The court will ordinarily deny such motions 20 in the absence of a
showing of manifest error in the prior ruling or a showing of new facts or 21 legal authority which
could not have been brought to its attention earlier with reasonable 22 diligence.” LCR 7(h)(1).
“‘Manifest error’ is ‘an error that is plain and indisputable, and that 23 amounts to a complete
disregard of the controlling law or the credible evidence in the record.’” 24 1 Munoz v. Locke,
No. C10-1475-JCC2013, WL 12177035, at *2 (W.D.

Wash. Feb. 8, 2013) 2 (quoting BLACK’S LAW DICTIONARY (9th ed. 2009)). “Mere
disagreement with a previous order 3 is an insufficient basis for reconsideration,” id, and
“reconsideration should not be used to ask 4 the Court to ‘rethink what it had already thought
through—rightly or wrongly.’” Innovative Sols. 5 Int’l, Inc. v. Houlihan Trading Co., No. C22-
0296-JCC, 2025 WL 1135037, at *1 (W.D.

Wash. 6 Apr. 17, 2025) (quoting Wilcox v. Hamilton Constr., LLC, 426 F. Supp. 3d 788, 791
(W.D. 7 Wash. 2019)). 8 Additionally, motions for reconsideration must comply with certain
procedure and timing 9 requirements.

For example, a motion for reconsideration must be “filed within fourteen days 10 after the order to
which it relates is filed.” LCR 7(h)(2). Failure to comply with these 11 instructions “may be
grounds for denial of the motion.” Id. Here, as pointed out in Judge 12 Chun’s order denying
reconsideration, Plaintiff’s motion is untimely and can be dismissed on 13 this ground alone.

(Dkt. No. 25 at 2.) Plaintiff filed this motion on December 29, 2025, more 14 than 14 days after
November 24, 2025 (the date of Judge Chun’s order) and December 1, 2025 15 (the date of this
Court’s order). (See Dkt. Nos. 13, 14.) 16 The Court also denies Plaintiff’s motion on the merits.

Plaintiff's motion for reconsideration reemphasizes her constitutional challenge to the validity of Judge Chun's judicial nomination, and argues the Court failed to consider this evidence in light of 28 U.S.C. § 455(b)(4).

(See Dkt. No. 23 at 4-5.) Specifically, § 455(b)(4) requires a judge to disqualify themselves if they knew they have a financial interest in the subject matter in controversy, or any other interest that could be substantially affected by the outcome of the proceeding.

However, the Court reiterates that Plaintiff failed to present clear evidence that Judge Chun's nomination was irregular. Therefore, § 455(b)(4) is not applicable here. Plaintiff further cites several instances of "procedural irregularities" that occurred after the denial of her recusal motion. (Dkt. No. 23 at 7-8.) These instances include failing to rule on a motion before Defendants filed a motion to dismiss and re-noting another motion "without explanation." (Id.)

Neither of these situations support a conclusion that Judge Chun had any bias against Plaintiff. First, there is no strict deadline for a court to decide a pending motion, and instead "[a]ll motions will be decided as soon as practicable." LCR 7(b)(5).

Second, judges have discretion to renote a pending motion. See LCR 7(l) ("The court may renote a pending motion to ensure compliance with applicable court rules or for other reasons.") Accordingly, having reviewed the motion for reconsideration and the remainder of the record, the Court hereby DENIES Plaintiff's motion for reconsideration. (Dkt. No. 23.)

Dated this 16th day of January, 2026. A David G. Estudillo United States District Judge