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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

Jamul Action Committee,  
  
Plaintiff,  
  
v.  
  
Department of the Interior, Office of Indian  
Gaming, et al.,  
  
Defendants.

No. 2:22-cv-02148-KJM-JDP  
  
ORDER

In a previous order, this court dismissed the operative complaint in this action without leave to amend and closed the case. *See generally* Order (Aug. 29, 2023), ECF No. 35. The complaint’s first claim, under the Freedom of Information Act, was moot because the plaintiff, the Jamul Action Committee (JAC), had received a copy of the document it sought, a map. *Id.* at 4. The remaining claims lacked support in a “cognizable legal theory” and did not meet the federal pleading standard for averments of fraud. *See id.* at 5–6. The court did not permit any amendments because the JAC did not explain how it could assert a potentially viable claim that would not impermissibly challenge the rights and claims of a federally recognized Indian tribe, the Jamul Indian Village, contrary to Federal Rule of Civil Procedure 19. *See id.* at 6. The JAC now moves to alter or amend the judgment under Federal Rule of Civil Procedure 59(e). *See*

1 *generally* Mot., ECF No. 37. The motion is fully briefed and the court submitted it without a  
2 hearing. *See generally* Opp’n, ECF No. 40; Reply, ECF No. 40; Min. Order, ECF No. 42.

3 Rule 59(e) motions generally are for the purpose of correcting clear errors and accounting  
4 for newly discovered evidence or intervening changes in the law. *See, e.g., Garcia v. Biter,*  
5 195 F. Supp. 3d 1131, 1132 (E.D. Cal. 2016). They are not for relitigating disputes or for raising  
6 arguments and evidence that a party could reasonably have raised earlier. *See id.* at 1132–33. The  
7 JAC has not identified a clear error and has not cited newly available evidence or changes in the  
8 law. Its request to reconsider relitigates its previous motion and advances the misleading claim  
9 that the government has withheld or concealed a map that has long been publicly available. Nor  
10 has the JAC explained how it can assert its proposed claims without making the Jamul Indian  
11 Village a necessary party. *See* Order (Aug. 29, 2023) at 6 (citing *Jamul Action Comm. v.*  
12 *Chaudhuri*, 200 F. Supp. 3d 1042, 1049–51 (E.D. Cal. 2016), *aff’d sub nom. Jamul Action Comm.*  
13 *v. Simermeyer*, 974 F.3d 984 (9th Cir. 2020)). The JAC’s motion and reply also include a number  
14 of puzzlingly incorrect assertions, such as that this court “did not grant [the] motion to dismiss  
15 Claim One,” Mot. at 9, and “did not decide all the claims and issues with respect to all the  
16 parties,” Reply at 1. *See* Order (Aug. 29, 2023) at 4 (dismissing claim one); *id.* at 5–6 (dismissing  
17 all remaining claims; *id.* at 6 (denying leave to amend and closing case).

18 For these reasons, the court **denies** the motion at ECF No. 37.

19 IT IS SO ORDERED.

20 DATED: January 8, 2024.

  
CHIEF UNITED STATES DISTRICT JUDGE