

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

MAR 24 2022

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

MICHAEL A. BRUZZONE,

No. 21-16108

Plaintiff-Appellant,

D.C. No. 3:14-cv-01279-WHA

v.

MEMORANDUM\*

INTEL CORPORATION; ARM, INC.,

Defendants-Appellees,

and

EVANGELINA ALMIRANTERENA; et al.,

Defendants.

Appeal from the United States District Court  
for the Northern District of California  
William Alsup, District Judge, Presiding

Submitted March 16, 2022\*\*

Before: SILVERMAN, MILLER, and BUMATAY, Circuit Judges.

Michael A. Bruzzone appeals pro se from the district court's order denying

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\* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

\*\* The panel unanimously concludes this case is suitable for decision without oral argument. See Fed. R. App. P. 34(a)(2).

his post-judgment motion in his action alleging claims arising from a previous qui tam action. We have jurisdiction under 28 U.S.C. § 1291. We review for an abuse of discretion a denial of a Federal Rule of Civil Procedure 60(b) motion. *Valdivia v. Schwarzenegger*, 599 F.3d 984, 988 (9th Cir. 2010). We affirm.

The district court did not abuse its discretion in denying Bruzzone’s Rule 60(b) motion because Bruzzone presented no basis for post-judgment relief. *See* Fed. R. Civ. P. 60(b); *Feature Realty, Inc. v. City of Spokane*, 331 F.3d 1082, 1093 (9th Cir. 2003) (relief under Rule 60(b) is not warranted unless the moving party can show: (i) “newly discovered evidence” within the meaning of Rule 60(b); (ii) that, with the exercise of due diligence, could not have been discovered earlier; and (iii) that earlier production of which would have likely changed the disposition of the case).

We reject as meritless Bruzzone’s contentions that the district court was biased against him.

**AFFIRMED.**