

APPENDIX

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Appendix A

**APPENDIX A – ORDER OF THE UNITED
STATES COURT OF APPEALS FOR THE
NINTH CIRCUIT IN APPEAL No. 25-7512
AFTER CASE No. 4:22-cv-00887-HSG,
FILED JANUARY 28, 2026**

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

TATYANA
EVGENIEVNA
DREVALEVA,

Plaintiff – Appellant

v.

DENIS RICHARD
McDONOUGH, in his
Official Capacity as
Secretary of the U.S.
Department of Veterans
Affairs; et al.,

Defendants – Appellees

Filed Jan 28, 2026

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

No. 25-7512

D.C. No.
4:22-cv-00887-HSG
Northern District of
California,
Oakland

ORDER

Before: SILVERMAN, PAEZ, and H.A. THOMAS,
Circuit Judges.

This court has reviewed the November 25, 2025
notice of appeal and the district court record
pursuant to the pre-filing review order entered in

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appeal No. 24-784. The appeal lacks sufficient merit to proceed. *See In re Thomas*, 508 F.3d 1225, 1227 (9th Cir. 2007). Appeal No. 25-7512 is therefore dismissed.

This order, served on the district court for the Northern District of California, constitutes the mandate of this court.

No further filings will be entertained.

DISMISSED.

Appendix B

**APPENDIX B – ORDER OF THE UNITED
STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA IN
CASE No. 4:22-cv-00887-HSG,
FILED NOVEMBER 21, 2025**

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TATYANA
EVGENIEVNA
DREVALEVA,
Plaintiff

v.

DENIS RICHARD
MCDONOUGH, et al.,
Defendants

Case No. 22-cv-00887-
HSG

**ORDER DENYING
MOTIONS TO
VACATE**

Re: Dkt. Nos. 110, 111,
112

On October 26, 2022, the Court held that Plaintiff's claims were barred by res judicata, dismissed the complaint, and declared Plaintiff a vexatious litigant. Dkt. Nos. 100, 102. Plaintiff appealed, and the Ninth Circuit affirmed this Court's decision. *Drevaleva v. McDonough*, No. 23-15308, 2024 WL 1342670, at *1 (9th Cir. Mar. 29, 2024). More than a year later, Plaintiff filed three motions to vacate pursuant to Rule 60(b)(6). Dkt. Nos. 110, 111, 112. Plaintiff's motions are convoluted, but they broadly argue that there was no valid final judgment that could trigger claim preclusion, and there were

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various other procedural defects. *See, e.g.*, Dkt. No. 110 at 18; Dkt. No. 112 at 7.

Rule 60(b)(6) is a “catchall provision” that “has been used sparingly as an equitable remedy to prevent manifest injustice and is to be utilized only where extraordinary circumstances prevented a party from taking timely action to prevent or correct an erroneous judgment.” *United States v. Washington*, 593 F.3d 790, 797 (9th Cir. 2010) (quotation omitted). “A motion under Rule 60(b) must be made within a reasonable time” Fed. R. Civ. P. 60(c)(1). And, under Civil Local Rule 7-9, a party seeking reconsideration under Rule 60(b) must file a motion for leave to file a motion for reconsideration, which must specifically show the emergence or discovery of new material facts or law or a manifest failure by the Court to consider facts or dispositive legal arguments previously presented.

Plaintiff has failed to make the necessary showing under Federal Rule of Civil Procedure 60 (and Civil Local Rule 7-9). Plaintiff has not complied with the procedural requirements of these rules, and she has not demonstrated anything close to extraordinary circumstances. She primarily repeats the same arguments that she has previously presented and that this Court and the Ninth Circuit have rejected. *See Am. Ironworkers & Erectors, Inc. v. N. Am. Const. Corp.*, 248 F.3d 892, 899 (9th Cir. 2001) (affirming district court’s denial of a motion for reconsideration under Rule 60(b) where the movants “simply reargued their case and offered no basis for withdrawal of the [order]”). The Court reemphasizes that this case is closed, and all pending motions are

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DENIED. No further filings shall be accepted in this closed case.

IT IS SO ORDERED.

Dated: 11/21/2025

HAYWOOD S. GILLIAM, JR.
United States District Judge

**Additional material
from this filing is
available in the
Clerk's Office.**