UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

SUMMARY ORDER

RULINGS BY SUMMARY ORDER DO NOT HAVE PRECEDENTIAL EFFECT. CITATION TO A SUMMARY ORDER FILED ON OR AFTER JANUARY 1, 2007, IS PERMITTED AND IS GOVERNED BY FEDERAL RULE OF APPELLATE PROCEDURE 32.1 AND THIS COURT'S LOCAL RULE 32.1.1. WHEN CITING A SUMMARY ORDER IN A DOCUMENT FILED WITH THIS COURT, A PARTY MUST CITE EITHER THE FEDERAL APPENDIX OR AN ELECTRONIC DATABASE (WITH THE NOTATION "SUMMARY ORDER"). A PARTY CITING A SUMMARY ORDER MUST SERVE A COPY OF IT ON ANY PARTY NOT REPRESENTED BY COUNSEL.

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 25th day of September, two thousand twenty-six.

PRESENT:

JOSÉ A. CABRANES,
GERARD E. LYNCH,
JOSEPH F. BIANCO,
Circuit Judges.

RICKY KAMDEM-OUAFFO,

Plaintiff-Appellant,

v. 25-1116

BALCHEM CORPORATION, GIDEON OENGA, (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), BOB MINIGER, (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), RENEE MCCOMB, (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), THEODORE HARRIS, CEO (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), JOHN KUEHNER, (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), TRAVIS LARSEN, (IN PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION), MICHAEL SESTRICK, (IN

PERSONAL CAPACITY AND IN CAPACITY WITH BALCHEM CORPORATION),

Defendants-Appellees.

FOR PLAINTIFF-APPELLANT:	RICKY KAMDEM-OUAFFO, *pro se*, New Brunswick, New Jersey.
FOR DEFENDANTS-APPELLEES:	Mary A. Smith, Jackson Lewis P.C., New York, New York.

Appeal from orders of the United States District Court for the Southern District of New York (Philip M. Halpern, *Judge*).

UPON DUE CONSIDERATION, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the orders of the district court, entered on March 27 and April 9, 2025, are **AFFIRMED**.

This is the second of two appeals from Plaintiff-Appellant Ricky Kamdem-Ouaffo, proceeding *pro se*, appealing from the district court's post-judgment orders in connection with his employment discrimination lawsuit. The district court originally dismissed this action in 2021 for discovery abuse, and we dismissed the appeal as frivolous. The district court denied Kamdem-Ouaffo's subsequent motions for reconsideration and recusal, and required Kamdem-Ouaffo to seek leave to file any further post-judgment motions. We affirmed. *See generally Kamdem-Ouaffo v. Balchem Corp.*, No. 23-455, 2024 WL 1266220 (2d Cir. Mar. 26, 2024) (summary order). In 2025, Kamdem-Ouaffo moved for leave to file additional motions for relief from the judgment under Federal Rule of Civil Procedure 60(b) and for recusal, which the district court denied; it also denied leave to file a motion for reconsideration of that order. Kamdem-Ouaffo appeals those two

orders. We assume the parties' familiarity with the underlying facts, procedural history, and issues on appeal, to which we refer only as necessary to explain our decision to affirm.

We review the denial of a Rule 60(b) motion and the denial of a recusal motion for abuse of discretion. *Mandala v. NTT Data, Inc.*, 88 F.4th 353, 359 (2d Cir. 2023) (Rule 60(b)); *United States v. Carlton*, 534 F.3d 97, 100 (2d Cir. 2008) (recusal). Because Kamdem-Ouaffo "has been *pro se* throughout, his pleadings and other filings are interpreted to raise the strongest claims they suggest." *Sharikov v. Philips Med. Sys. MR, Inc.*, 103 F.4th 159, 166 (2d Cir. 2024).

As in the parallel action, the district court correctly denied leave to file Rule 60(b) motions because the proposed motions were untimely. A Rule 60(b) motion "must be made within a reasonable time," and if premised on fraud, misrepresentation, or misconduct by an opposing party, within one year of the challenged order or judgment. Fed. R. Civ. P. 60(c)(1). Here, the motions were even more untimely than in the parallel action: the district court dismissed the complaint in this action in 2021, and Kamdem-Ouaffo sought leave to file the Rule 60(b) motions at issue here in 2025. The motions were thus properly denied, and Kamdem-Ouaffo's arguments to the contrary are without merit for the reasons addressed in the summary order affirming the district court's orders in the parallel action, No. 25-1056-cv, which we adopt by reference and do not repeat here.

Similarly, for the reasons addressed in the summary order on the appeal from the orders in the parallel action, the motions for Rule 60(b) relief and recusal were without merit: there was no fraud, the judgment in this action is not void, there were no extraordinary circumstances warranting relief from the judgment, and there was no basis for recusal.

* * *

We have considered Kamdem-Ouaffo's remaining arguments and conclude they are without merit. Accordingly, we **AFFIRM** the orders of the district court.

FOR THE COURT:
Catherine O'Hagan Wolfe, Clerk of Court