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**NOT FOR PUBLICATION**

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IN THE UNITED STATES DISTRICT COURT

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FOR THE DISTRICT OF ARIZONA

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Matthew D. Diamond; Susan E. Diamond,)

No. CV-09-1593-PHX-FJM

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Plaintiffs,

**ORDER**

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vs.

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One West Bank, et al.,

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Defendants.

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The court has before it plaintiffs’ motion for reconsideration (doc. 69) of our Order dated April 29, 2010 (doc. 61). Specifically, plaintiffs ask us to reconsider our conclusion that Susan Diamond does not have standing to assert Counts 2 through 7 in the Complaint.

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Under LRCiv 7.2(g)(2), absent good cause shown, a motion for reconsideration must be filed no later than 14 days after the filing date of the Order that is the subject of the motion. Plaintiffs’ motion, filed on June 16, 2010, is well outside this filing deadline.

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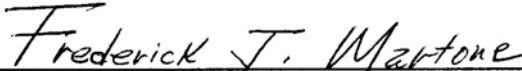
For cause, plaintiffs assert that they were awaiting our ruling on their first motion for reconsideration on an entirely separate issue. They assert that they did not want to “bombard” us with another motion at that time. Clearly, this fails to establish cause. Plaintiff Matthew Diamond also contends that he underwent surgery after our ruling on their first motion for reconsideration, but the 14 day deadline had already passed by that time. Finally, plaintiffs contend that new facts have been discovered since the filing deadline

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1 expired. But instead plaintiffs merely reassert arguments that we have already rejected.  
2 Susan Diamond's community interest in the property does not alter her standing to assert the  
3 dismissed claims.

4 **IT IS ORDERED DENYING** the motion for reconsideration (doc. 69).

5 DATED this 2<sup>nd</sup> day of July, 2010.

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9 Frederick J. Martone  
10 United States District Judge  
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