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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

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9 John R. Quain,

No. CV-09-2365-PHX-DGC

10 Plaintiff,

ORDER

11 vs.

12 Capstar d/b/a Clear Channel
13 Communications, Inc.,

14 Defendants.

15 Plaintiff owns Silk Purse Records and is the leader of the musical group Citizen
16 Quain. He has been unable to get his music played on a local radio station. He filed
17 suit against Defendants on November 12, 2009. Doc. 1. The second amended complaint
18 asserts breach of contract, misrepresentation, and unjust enrichment claims. Doc. 33. On
19 November 18, 2010, the Court granted Defendants’ motion to dismiss (Doc. 35) and the
20 Clerk entered judgment accordingly. Docs. 40, 41.

21 In an order dated December 29, 2010, the Court awarded Defendants attorneys’ fees
22 in the amount of \$15,317.50. Doc. 55. Plaintiff has filed a motion for reconsideration of that
23 order. Doc. 56.

24 Motions for reconsideration “are ‘disfavored’ and will be granted only upon a
25 showing of ‘manifest error’ or ‘new facts or legal authority that could not have been raised
26 earlier with reasonable diligence.’” *In re Rosson*, 545 F.3d 764, 769 (9th Cir. 2008) (citation
27 and brackets omitted); *see S.E.C. v. Kuipers*, No. 09-36016, 2010 WL 3735788, at *3 (9th
28 Cir. Sept. 21, 2010); LRCiv 7.2(g)(1). Plaintiff does not meet (or even address) this high

1 standard. He cites no new law or fact that occurred after the Court's decision. Instead, he
2 re-urges arguments made in opposition to the motion for attorneys' fees and asks the Court
3 to rethink its analysis. In short, Plaintiff simply disagrees with the order awarding fees. But
4 "[m]ere disagreement with a previous order is an insufficient basis for reconsideration."
5 *Guillen v. Thompson*, No. CV 08-1279-PHX-MHM, 2010 WL 3239419, at *2 (D. Ariz.
6 Aug. 16, 2010); *see Galvan v. Arpaio*, No. CV 10-0125-PHX-GMS (MHB), 2010 WL
7 4511019, at *1 (D. Ariz. Nov. 2, 2010).

8 **IT IS ORDERED** that Plaintiff's motion for reconsideration (Doc. 56) is **denied**.

9 DATED this 2nd day of February, 2011.

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David G. Campbell
14 United States District Judge
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