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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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Peter Kane; Diane Kane,

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No. CV 10-1787-PHX-JAT

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Plaintiffs,

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**ORDER**

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vs.

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Michael A. Bosco, Jr.; et al.,

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Defendants.

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On August 26, 2010, Plaintiffs filed an emergency motion for temporary restraining order seeking to stop a Trustee sale of their house, which they said was set for August 30, 2010. Doc. 13. Because the undersigned could not hear the motion by the 30<sup>th</sup>, another Judge was drawn, and on August 27, 2010, Judge Snow entered an Order denying the request for a temporary restraining order. Doc. 17.

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On September 10, 2010, Plaintiffs filed another emergency motion for temporary restraining order seeking to stop the Trustee sale of their house, which they now say is set for September 13, 2010. Doc. 20. In this second motion, Plaintiffs do not show any change in circumstances since Judge Snow's order, nor argue any reason why Judge Snow's order was incorrect. Thus, Plaintiffs have effectively filed a motion for reconsideration of Judge

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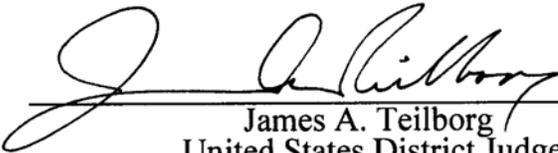
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1 Snow's Order, but have failed to show any basis justifying reconsideration.<sup>1</sup> Accordingly,

2 IT IS ORDERED that the emergency motion for temporary restraining order and  
3 preliminary injunction (Doc. 20) is denied.

4 DATED this 10<sup>th</sup> day of September, 2010.

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8 James A. Teilborg  
9 United States District Judge  
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20 <sup>1</sup> To obtain reconsideration of a non-final order, the moving party must show:  
21 (1) There are material differences in fact or law from that presented to the  
22 Court and, at the time of the Court's decision, the party moving for  
23 reconsideration could not have known of the factual or legal differences  
24 through reasonable diligence;  
25 (2) There are new material facts that happened after the Court's decision;  
26 (3) There has been a change in the law that was decided or enacted after the  
27 Court's decision; or  
28 (4) The movant makes a convincing showing that the Court failed to consider  
material facts that were presented to the Court before the Court's decision.  
No motion for reconsideration shall repeat in any manner any oral or written  
argument made in support of or in opposition to the original motion.

*Motorola, Inc. v. J.B. Rogers Mechanical Contractors, Inc.*, 215 F.R.D. 581, 586 (D. Ariz. 2003).