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

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9 Eric J. Skinner,

10 Plaintiff,

11 vs.

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13 Deutsche Bank National Trust Company;
Mortgage Electronic Registration Systems
14 Incorporated (MERS),

15 Defendants.

No. 11-CV-710-PHX-GMS

ORDER

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17 Pending before the Court is Plaintiff’s motion for reconsideration.¹ (Doc. 21). For the
18 reasons stated below, Plaintiff’s motion is denied.

19 Generally, motions to reconsider are appropriate only if the Court “(1) is presented
20 with newly discovered evidence, (2) committed clear error or the initial decision was
21 manifestly unjust, or (3) if there is an intervening change in controlling law.” *School Dist.*
22 *No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). A
23 motion for reconsideration should not be used to ask a court “to rethink what the court had
24 already thought through, rightly or wrongly.” *Above the Belt, Inc. v. Mel Bohannon Roofing,*

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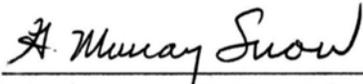
26 _____
27 ¹ Plaintiff’s motion is entitled “Motion for New Trial.” (Doc. 21). The essence of
28 Plaintiff’s motion, however, is that the Court erred in granting Defendants’ Motion to
Dismiss. (*See* Doc. 19). The Court therefore treats Plaintiff’s motion as a motion for
reconsideration.

1 *Inc.*, 99 F.R.D. 99, 101 (E.D.Va. 1983)). Rather, such arguments should be directed to the
2 court of appeals. *Sullivan v. Faras-RLS Group, Ltd.*, 795 F.Supp. 305, 309 (D. Ariz. 1992).
3 Plaintiff raises no argument in his motion for reconsideration that he did not raise earlier.
4 (*See* Doc. 21). Instead, Plaintiff essentially asks the court to rethink its decision. (*Id.*).
5 Plaintiff's motion for reconsideration is therefore denied.

6 Plaintiff further asserts that the Court erred by not granting his request for oral
7 argument. (Doc. 21 at 12). The Court did not grant oral argument, however, because the
8 Court determined that oral argument would not aid in its decision. *See Lake at Las Vegas*
9 *Investors Group v. Pac. Malibu Dev.*, 933 F.2d 724, 729 (9th Cir. 1991).

10 **IT IS THEREFORE ORDERED** that Plaintiff's motion for reconsideration (Doc.
11 21) is **denied**. The Clerk of Court is directed to **terminate** this action.

12 DATED this 12th day of January, 2012.

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16 G. Murray Snow
17 United States District Judge
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