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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Permanent General Assurance Corporation,)	No. CV 12-791-TUC-FRZ
Plaintiff/Counterdefendant,)	ORDER
vs.)	
Nicolette Davis,)	
Defendant/Counterclaimant.)	

Pending before the Court is a motion filed by Ms. Davis seeking reconsideration of the Court's Order dismissing her counterclaims. The motion is denied.

I. Discussion

A motion to reconsider must provide a valid ground for reconsideration by showing two things. First, it must demonstrate some valid reason why the Court should reconsider its prior decision. Second, it must set forth facts or law of a strongly convincing nature to induce the Court to reverse its prior decision.

Courts have advanced three major grounds justifying reconsideration: (1) an intervening change in the controlling law; (2) the availability of new evidence; and (3) the need to correct clear error or prevent manifest injustice.

Bahrs v. Hughes Aircraft Co., 795 F. Supp. 965, 967 (D. Ariz. 1992); *see also Defenders of Wildlife v. Browner*, 909 F. Supp. 1342, 1351 (D. Ariz. 1995)(a motion for reconsideration should not be used to ask a court to "rethink what the court had already thought through- rightly or wrongly."); *Refrigeration Sales Co. v. Mitchell-Jackson, Inc.*, 605 F.Supp. 6, 7

1 (N.D.Ill. 1983)(arguments that a court was in error on the issues it considered should be
2 directed to the court of appeals).

3 Having reviewed the motion to reconsider and the record in this case, the Court finds no
4 basis to depart from its original decision.

5 Accordingly, IT IS HEREBY ORDERED as follows:

6 (1) The motion to reconsider (Doc. 26) is denied.¹

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8 DATED this 17th day of May, 2013.

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11 **Frank R. Zapata**
12 **Senior United States District Judge**

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26 _____
27 ¹The Court notes that Davis filed a motion to compel (Doc. 34) arguing that Permanent
28 General gave inadequate responses to requests for admissions and interrogatories. A review of the
pertinent record reflects that Permanent General appropriately responded to the discovery at issue;
the motion to compel is denied.