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5 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 J & J SPORTS PRODUCTIONS, INC.,

1:10-cv-02087-AWI-JLT

9 Plaintiff,

**ORDER RE: MOTION FOR  
RECONSIDERATION**

10 v.

(Doc. 72)

11 ARTURO M. FLORES and ALEJANDRO  
12 ALEX VAZQUEZ, individually and d/b/a/  
13 LOS AMIGOS a/k/a MARAKAS  
TROPICAL a/k/a LA PLACITA,

14 Defendants.  
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16 The Court refers the parties to previous orders for a complete chronology of the proceedings. On  
17 December 17, 2012, the Court issued an order (doc. 59) granting summary judgment in favor of  
18 defendants Arturo M. Flores and Alejandro Alex Vazquez (collectively, “Defendants”) and  
19 awarded them attorneys’ fees as the prevailing party. On January 15, 2013, Defendants filed a  
20 motion (doc. 60) for attorneys’ fees. On July 12, 2013, the Court granted Defendants’ motion for  
21 attorneys’ fees. On August 9, 2013, plaintiff J & J Sports Productions, Inc. (“Plaintiff”) filed a  
22 motion (doc. 72) for reconsideration of the Court’s July 12, 2013 attorneys’ fees order.  
23 Defendants filed their opposition to Plaintiff’s motion on August 29, 2013. Plaintiff filed its  
24 reply to Defendants’ opposition on September 9, 2013. “Whenever any motion has been granted  
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2 or denied in whole or in part, and a subsequent motion for reconsideration is made upon the same  
3 or any alleged different set of facts, counsel shall present to the Judge or Magistrate Judge to  
4 whom such subsequent motion is made an affidavit or brief, as appropriate, setting forth the  
5 material facts and circumstances surrounding each motion for which reconsideration is sought,  
6 including [¶] (1) when and to what Judge or Magistrate Judge the prior motion was made; [¶] (2)  
7 what ruling, decision, or order was made thereon; [¶] (3) what new or different facts or  
8 circumstances are claimed to exist which did not exist or were not shown upon such prior  
9 motion, or what other grounds exist for the motion; and [¶] (4) why the facts or circumstances  
10 were not shown at the time of the prior motion.” Local Rule 230(j). Reconsideration of motions  
11 may also be granted under the standards applicable to reconsideration of a final judgment under  
12 Federal Rule of Civil Procedure 59(e). Under Rule 59(e), “[r]econsideration is appropriate if the  
13 district court (1) is presented with newly discovered evidence, (2) committed clear error or the  
14 initial decision was manifestly unjust, or (3) if there is an intervening change in controlling law.  
15 There may also be other, highly unusual, circumstances warranting reconsideration.” *School*  
16 *Dist. No. 1J, Multnomah County, Or. v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993)  
17 (citations omitted). Having reviewed the pleadings of record and all competent and admissible  
18 evidence submitted, the Court finds Plaintiff has failed to meet the foregoing standard for  
19 reconsideration. Accordingly, Plaintiff’s motion for reconsideration shall be DENIED.

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22 IT IS SO ORDERED.

23 Dated: October 2, 2013

  
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SENIOR DISTRICT JUDGE