

United States District Court  
For the Northern District of California

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AXIS REINSURANCE COMPANY,	)	Case No. 12-2979 SC
	)	
Plaintiff,	)	ORDER DENYING MOTION FOR
	)	LEAVE TO FILE A MOTION FOR
v.	)	<u>RECONSIDERATION</u>
	)	
TELEKENEX, INC.; ANTHONY ZABIT;	)	
KAREN SALAZAR; BRANDON CHANEY;	)	
DEANNA CHANEY; MARK PRUDELL; JOY	)	
PRUDELL; MARK RADFORD; NIKKI	)	
RADFORD; JOSHUA SUMMERS; JULIA	)	
SUMMERS; IXC HOLDINGS, INC.;	)	
STRAITSHOT COMMUNICATIONS, INC.;	)	
and STRAITSHOT RC, LLC,	)	
	)	
Defendants.	)	
	)	

---

On December 19, 2012, the Court issued an order granting in part and denying in part Plaintiff's motion for partial summary judgment. ECF No. 68 ("SJ Order"). Defendants now move for leave to file a motion for reconsideration of the Summary Judgment Order. ECF No. 83 ("Mot."). In this context, the moving party must show: (1) "that at the time of the motion for leave, a material difference in fact or law exists from that which was presented to the Court before entry of the interlocutory order for which reconsideration is sought"; (2) "the emergence of new material

1 facts or a change of law occurring after the time of such order";  
2 or (3) "a manifest failure by the Court to consider material facts  
3 or dispositive legal arguments which were presented to the Court  
4 before such interlocutory order." Civ. L.R. 7-9(b). Here,  
5 Defendants move for reconsideration under the third factor. Having  
6 reviewed the Motion, the Summary Judgment Order, and the materials  
7 filed in connection with Plaintiff's motion for partial summary  
8 judgment, the Court finds that there was not a manifest failure to  
9 consider material facts or dispositive legal arguments.  
10 Accordingly, Defendants' Motion is DENIED.

11  
12 IT IS SO ORDERED.

13  
14 Dated: February 22, 2013



15 UNITED STATES DISTRICT JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28