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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

ARCHITECTUREART LLC,  <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">v.</p> CITY OF SAN DIEGO; and DOES 1-50, inclusive,  <p style="text-align: right;">Defendants.</p>	Case No. 15-cv-01592-BAS-NLS  <b>ORDER DENYING PLAINTIFF’S MOTION FOR RECONSIDERATION</b>
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Plaintiff ArchitectureArt, LLC (“AArt”) brings this Motion for Reconsideration pursuant to Federal Rules of Civil Procedure 59(e), asking the Court to reconsider its Order (ECF No. 54) granting Summary Judgment in favor of Defendant City of San Diego (“City”). The Court finds this motion suitable for determination on the papers submitted and without oral argument. *See* CivLR 7.1(d)(1).

A district court should not grant a motion for reconsideration unless: (1) it is presented with newly discovered evidence, (2) it committed clear error or the initial decision was manifestly unjust, or (3) there was an intervening change in controlling law. *Carroll v. Nakatani*, 342 F.3d 934, 945 (citing *Kona Enterprise, Inc. v. Estate of*

1 *Bishop*, 229 F.3d 877, 890 (9th Cir. 2000)). “There may also be other highly unusual  
2 circumstances warranting reconsideration.” *School Dist. No. 1J v. ACandS, Inc.*, 5  
3 F.3d 1255, 1263 (9th Cir. 1993). “While Rule 59(e) permits a district court to  
4 reconsider and amend a previous order, the rule offers an extraordinary remedy, to be  
5 used sparingly in the interests of finality and conservation of judicial resources.”  
6 *Carroll*, 342 F.3d at 945 (quotations omitted).

7 In this case, AArt does not present the Court with newly discovered evidence  
8 or an intervening change in the controlling law. Instead, making the same arguments  
9 it did in the Motion for Summary Judgment, it essentially argues the Court was wrong  
10 in its decision. This is an insufficient basis upon which to grant a motion for  
11 reconsideration. *Wagnier v. National City Mortg. Inc.*, No. 09cv2721–GPC–BGS,  
12 2013 WL 3810592, at \*2 (S.D. Cal. July 22, 2013) (explaining that a motion for  
13 reconsideration will be denied where the motion reflects the same arguments, facts  
14 and case law that were previously considered and ruled upon by the court); *Becker v.*  
15 *Wells Fargo Bank*, No. 2:12–cv–501 KJM CKD, 2013 WL 3242249, at \*1 (E.D. Cal.  
16 June 25, 2013) (“[A] motion for reconsideration is not an appropriate vehicle for  
17 rehashing arguments the court has already considered.”) (citation omitted). After  
18 reviewing the Motion, the Court finds there are no unusual circumstances or clear  
19 error in the initial decision. Thus, the Motion for Reconsideration is **DENIED**. (ECF  
20 No. 59.)

21 **IT IS SO ORDERED.**

22 **DATED: April 4, 2017**

23   
24 **Hon. Cynthia Bashant**  
25 **United States District Judge**

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