

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge John L. Kane

Civil Action No. **81-K-1754**

**KENNETH FLOYD,
ERNEST L. WALKER,
HAROLD TURMAN,
LEROY MARTINEZ,
DONALD G. EMIG,
JAMES MONTOYA,
JOHN POTTER,
EUGENE VELARDE,
RICHARD VELARDE,
JOHNNY H. CLAY,**

Plaintiffs,

v.

ARISTEDES ZAVARAS, et al.

Defendants.

**ORDER DENYING NONPARTY JUSTIN RUEB'S MOTION FOR
RECONSIDERATION**

Kane, J.

This matter is before me on nonparty Justin Rueb's Motion for Reconsideration (Doc. 18), in which Mr. Rueb challenges my March 4, 2010, Order granting the parties' jointly filed Motion to Terminate Prospective Relief Pursuant to 18 U.S.C. § 3626(b) and Closing Case (Doc. 17). A motion for reconsideration is proper when the court has "made a mistake not of reasoning but of apprehension . . . [or] if there has been a significant change or development in the law or facts since submission." *EEOC v. Foothills Title Guar. Co.*, 1991 WL 61012 at *3 (D. Colo. April 12, 1991), *aff'd*, 956 F.2d 277 (10th Cir. 1992); *see Major v. Benton*, 647 F.2d 110, 112 (10th Cir. 1981)(explaining the law of the case doctrine generally requires a court to adhere to its rulings in the interest of expeditious resolution of disputes and to prevent continued

reargument of issues already decided). Furthermore, a motion to reconsider is not a second opportunity for the losing party to make its strongest case, to rehash arguments, or to dress up arguments that previously failed. *See Voelkel v. General Motors Corp.*, 846 F. Supp. 1482, 1483 (D. Kan. 1994), *aff'd*, 43 F.3d 1484 (10th Cir. 1994). Mr. Rueb is a nonparty to this closed action whose standing and legal arguments in support of rights to participate or reopen it have been repeatedly rejected. His Motion for Reconsideration fails under any applicable standard and is DENIED.

Any further pro se filings in this closed case by Mr. Rueb will be STRICKEN.

Dated March 23, 2010.

s/John L. Kane
SENIOR U.S. DISTRICT JUDGE