

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Honorable Marcia S. Krieger

Civil Action No. 06-cv-00957-MSK-KLM

JAMES FREDERICKS,
BROOKE FREDERICKS,
ELISABETH FREDERICKS, and
SARAH FREDERICKS,

Plaintiffs,

v.

MARY MARGARET JONSSON, Ph.D.,

Defendant.

OPINION AND ORDER DENYING MOTION TO ALTER JUDGMENT

THIS MATTER comes before the Court pursuant to the Plaintiffs' Amended Motion to Alter Judgment (# 456), the Defendant's response (# 470), and the Plaintiffs' reply (# 478); and the Plaintiffs' Motion for Reconsideration of Costs Taxed (# 481), the Defendants' response (# 482), and the Plaintiffs' reply (# 483).

The Court has thoroughly reviewed the Plaintiffs' Motion to Alter Judgment and, considering the arguments therein, finds nothing that would warrant reconsideration of the findings and conclusions in the Court's March 20, 2009 Order (# 451). The motion does no more than reassert arguments the Court has already thoroughly addressed and rejected in its prior Order. Whether the motion is adjudicated under Fed. R. Civ. P. 59 or 60, reconsideration is not an appropriate means to reargue matters already considered completely by the Court. *Servants of the Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir.2000) (reconsideration under Rule 59); *Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir.1991) (reconsideration under Rule

60).

Accordingly, the Motion to Alter Judgement (# 456) is **DENIED**. The Plaintiffs' Motion for Reconsideration of Taxation of Costs (# 481), which raises no substantive argument and whose merit is expressly conditioned on the granting of the Motion to Alter Judgment, is also **DENIED**.

Dated this 2d day of June, 2009

BY THE COURT:



A handwritten signature in black ink that reads "Marcia S. Krieger". The signature is written in a cursive style with a dot over the 'i' in "Krieger".

Marcia S. Krieger
United States District Judge