

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-02429-REB-MJW

CHEVRON U.S.A. INC.,

Plaintiff,

v.

GREGORY D. TIMM, et al.,

Defendants.

MINUTE ORDER

Entered by Magistrate Judge Michael J. Watanabe

It is hereby ORDERED that 11500 Lessee, LLC's Request for Reconsideration of Order Denying Motion to Intervene as Third Party Plaintiff (docket no. 60) is DENIED for the following reasons.

The subject motion (docket no. 60) is untimely filed. That pursuant to Fed. R. Civ. P. 72, "[w]hen a pretrial matter not dispositive of a party's claim or defense is referred to a magistrate judge to hear and decide, the magistrate judge must promptly conduct the required proceedings and, when appropriate, issue a written order stating the decision. A party may serve and file objections to the order within 14 days after being served with a copy. A party may not assign as error a defect in the order not timely objected to. The district judge in the case must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law."

In this case, I entered my minute order denying 11500 Lessee LLC's Motion to Intervene on March 15, 2010 and counsel for 11500 Lessee LLC and all other counsel of record received this minute order on March 15, 2010. See docket no. 58. The subject motion (docket no. 60) was filed with this court on April 16, 2010 and is thus untimely. Moreover, the Federal Rules of Civil Procedure do not expressly provide for motions for reconsideration. See Taylor v. Ortiz, C.A., No. 05-cv-00574, 2010 WL 882316, at *2 (D. Colo. 2010). Here, I further find that 11500 Lessee, LLC has not identified any changed circumstances or clear error that would warrant reconsideration of this court's minute order dated March 15, 2010 (docket no. 58).

Date: May 12, 2010
