

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 11-cv-00968-REB-KLM

KATHLEEN CHYTKA,

Plaintiff,

v.

WRIGHT TREE SERVICE, INC.,

Defendant.

ORDER

Blackburn, J.

This matter is before me on the following: (1) **Plaintiff Response for Reconsideration on All Charges . . .**¹ [#229]² filed April 17, 2013; (2) **Plaintiff's Motion to the Court To Make a Decision on Summery [sic] of Judgment or a Jury Trial** [#243] filed June 13, 2013; (3) **Plaintiff Motion Under Rule D.C.Colo.LCivR 56.1 Summary Judgment . . .** [#246] filed July 1, 2013; (4) **Motion To The Court Under the Freedom of Information Act . . .** [#256] filed July 18. 2013; (5) **[Second] Motion To The Court Under the Freedom of Information Act . . .** [#257] filed July 18. 2013; (6) **Motion for Magistrate Mix and Judge Blackburn To Reconsideration . . .** [#258] filed July 18, 2013; (7) **Motion To Master Judge Krieger . . .** [#260] filed July 30, 2013; and (8) **Motion To The Court Under the Freedom of Information Act . . .** [#261] filed July

¹ In an effort to preserve space, I abbreviate some of the titles of the plaintiff's motions.

² “[#229]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

30. 2013. The parties filed responses and replies addressing these motions [#240, #249, #259, #262, and #263]. I deny the motions.

In the motions docketed as [#229, #258, and #261], the plaintiff seeks reconsideration of previous rulings by the court. The bases for granting reconsideration are extremely limited:

Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice. Thus, a motion for reconsideration is appropriate where the court has misapprehended the facts, a party's position, or the controlling law. It is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.

Servants of the Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000) (citations omitted). In her motions, the plaintiff does not establish any of these bases for reconsideration. Therefore, the motions for reconsideration [#229, #258, and #261] are denied.

In the motions docketed as [#243 & #246], the plaintiff seeks a decision on motions for summary judgment or a jury trial. All of the motions for summary judgment filed previously in this case have been resolved. One claim remains pending in this case. Currently, it has yet to be determined whether or not a jury trial on this claim is necessary. Given these circumstances, the plaintiff's motions for decision on summary judgment or jury trial are denied.

In the motions docketed as [#256 & #257], the plaintiff seeks "all information on this case including and not limited to any and all meetings the court had with the Defendants Attorneys with dates and time including Phone conversation." *Motion* [#256], p. 1 (capitalization in original). All of the motions, hearings, evidence, and other

proceedings in this case are a matter of public record. The plaintiff has ready access to the information she seeks in the record of this case. The motions docketed as [#256 & #257] are denied.

Finally, in the motion docketed as [#260], the plaintiff asks Chief United States District Judge Marcia S. Krieger to consider this case. This case has been assigned to me and to United States Magistrate Judge Kristen L. Mix under the Local Rules of Practice for the United States District Court for the District of Colorado - Civil. The plaintiff does not establish any basis for a re-assignment of this case to a different district judge. The motion docketed as [#260] is denied.

THEREFORE, IT IS ORDERED as follows:

1. That the **Plaintiff Response for Reconsideration on All Charges . . .** [#229] filed April 17, 2013, is **DENIED**;
2. That the **Plaintiff's Motion to the Court To Make a Decision on Summery** [sic] **of Judgment or a Jury Trial** [#243] filed June 13, 2013, is **DENIED**;
3. That the **Plaintiff Motion Under Rule D.C.Colo.LCivR 56.1 Summary Judgment . . .** [#246] filed July 1, 2013, is **DENIED**;
4. That the **Motion To The Court Under the Freedom of Information Act . . .** [#256] filed July 18. 2013, is **DENIED**;
5. That the [Second] **Motion To The Court Under the Freedom of Information Act . . .** [#257] filed July 18. 2013, is **DENIED**;
6. That the **Motion for Magistrate Mix and Judge Blackburn To Reconsideration . . .** [#258] filed July 18, 2013, is **DENIED**;
7. That the **Motion To Master Judge Krieger . . .** [#260] filed July 30, 2013, is


DENIED; and

8. That the **Motion To The Court Under the Freedom of Information Act . . .**

[#261] filed July 30, 2013, is **DENIED.**

Dated August 20, 2013, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge