

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROLAND C. ANDERSON,	:
	:
Plaintiff,	:
	:
v.	: Civ. No. 12-1119-LPS
	:
LOCAL 435 UNION,	:
	:
Defendant.	:

MEMORANDUM

I. BACKGROUND

On March 24, 2017, the Court denied Plaintiff’s motions for entry of default judgment and motion to correct the case caption and dismissed the action without prejudice. (*See* D.I. 50, 52, 53, 56, 57) Plaintiff moves for reconsideration. (D.I. 58)

II. MOTION FOR RECONSIDERATION

A. Legal Standards

The purpose of a motion for reconsideration is to “correct manifest errors of law or fact or to present newly discovered evidence.” *Max’s Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999). A motion for reconsideration is the “functional equivalent” of a motion to alter or amend judgment under Fed. R. Civ. P. 59(e). *See Jones v. Pittsburgh Nat’l Corp.*, 899 F.2d 1350, 1352 (3d Cir. 1990) (citing *Federal Kemper Ins. Co. v. Rauscher*, 807 F.2d 345, 348 (3d Cir. 1986)).

“A proper Rule 59(e) motion . . . must rely on one of three grounds: (1) an intervening change in controlling law; (2) the availability of new evidence; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice.” *Lazaridis v. Wehmer*, 591 F.3d 666, 669 (3d Cir. 2010) (citing *North River Ins. Co. v. CIGNA Reinsurance Co.*, 52 F.3d 1194, 1218 (3d Cir. 1995)).

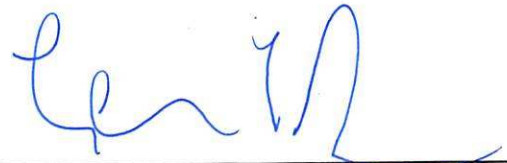
B. Discussion

Plaintiff moves for reconsideration on the grounds that the Court erred in the way in which it construed his motions. The Court has again reviewed the record and Plaintiff's filings. In doing so, the Court finds that Plaintiff has failed to demonstrate grounds to warrant reconsideration of the Court's April 4, 2017 Memorandum Opinion and Order. Therefore, the Court will deny Plaintiff's motion for reconsideration. (D.I. 58)

III. CONCLUSION

For the reasons set forth above, the Court will deny Plaintiff's motion for reconsideration. (D.I. 58). A separate Order will be entered.

Dated: November 20, 2017



UNITED STATES DISTRICT JUDGE