

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

DUSTIN DOVE,
Plaintiff
v.
EDUCAP, INC., *et al.*,
Defendants

Civil Action No. 15-2274 (CKK)

MEMORANDUM OPINION

(August 18, 2016)

Having carefully considered Plaintiff's [22] Motion for Reconsideration, Defendant's [23] Opposition to that motion, and Plaintiff's [24] Reply Brief, the Court concludes that Plaintiff has provided no basis for the Court to alter or amend the judgment of dismissal issued in this case on July 20, 2016.¹

Federal Rule of Civil Procedure 59(e) permits a party to file "[a] motion to alter or amend a judgment" within "28 days after the entry of the judgment." Fed. R. Civ. P. 59(e). Motions under Rule 59(e) are "disfavored" and the moving party bears the burden of establishing "extraordinary circumstances" warranting relief from a final judgment. *Niedermeier v. Office of Baucus*, 153 F. Supp. 2d 23, 28 (D.D.C. 2001). Rule 59(e) motions are "discretionary and need not be granted unless the district court finds that there is an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice." *Firestone v. Firestone*, 76 F.3d 1205, 1208 (D.C. Cir. 1996) (internal quotation marks omitted).

Plaintiff has not established extraordinary circumstances warranting relief from a final judgment. The only arguments Plaintiff presents in his Motion for Reconsideration—regarding

¹ In an exercise of its discretion, the Court finds that holding oral argument in this action would not be of assistance in rendering a decision. *See* LCvR 7(f).

