

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-61426-CIV-HUCK/O'SULLIVAN

ALVIN BELL,

Plaintiff,

v.

KEN JENNE, et al,

Defendants.

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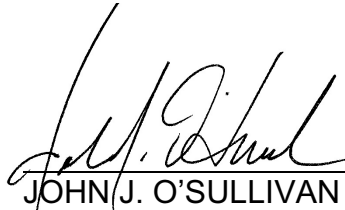
**ORDER**

THIS MATTER comes before the Court on the Plaintiff's Motion Moving the Court to Vacate its Previous Order on its Award of Attorney Fees to the Defendant/Appellee (DE # 63, 8/6/10). Having reviewed the applicable filings and the law, it is

ORDERED AND ADJUDGED the Plaintiff's Motion Moving the Court to Vacate its Previous Order on its Award of Attorney Fees to the Defendant/Appellee (DE # 63, 8/6/10) is DENIED. This motion fails to raise any new issue or evidence. A motion for reconsideration should raise new issues and not merely "reiterate arguments previously made." Z.K. Marine, Inc. v. M/V Archigetis et al., 808 F. Supp. 1561, 1563 (S.D. Fla. 1992). Generally, there are three grounds justifying reconsideration of an order: (1) an intervening change in controlling law; (2) availability of new evidence; and (3) the need to correct clear error or manifest injustice. Wendy's International, Inc. v. Nu-Cape Construction, Inc., 169 F.R.D. 680, 684 (M.D. Fl. 1996). The plaintiff has not provided

any facts or law justifying reconsideration of this Court's Order.

DONE AND ORDERED, in Chambers, at Miami, Florida, this 24<sup>th</sup> day of August,  
2010.

A handwritten signature in black ink, appearing to read "John J. O'Sullivan", is written over a horizontal line.

JOHN J. O'SULLIVAN  
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:  
United States District Judge Huck  
All Counsel of Record