

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

**JOHN BARTOW REYNOLDS and
MILDRED LUCILLE REYNOLDS,**

Plaintiffs,

v.

JPMORGAN CHASE BANK, N.A., et al.,

Defendants.

CIVIL ACTION NO. 5:13-CV-440 (MTT)

ORDER

Before the Court is the Plaintiffs' "motion to vacate" (Doc. 11) this Court's January 15, 2014 Order (Doc. 9) dismissing their case on res judicata grounds. The Court construes the Plaintiffs' motion as a motion for reconsideration.

Pursuant to Local Rule 7.6, "Motions for Reconsideration *shall not be filed as a matter of routine practice.*" M.D. Ga., L.R. 7.6 (emphasis added). Indeed, "[r]econsideration of a previous order is an extraordinary remedy to be employed sparingly." *Bingham v. Nelson*, 2010 WL 339806, at *1 (M.D. Ga.) (internal quotation marks and citation omitted). It "is appropriate only if the movant demonstrates (1) that there has been an intervening change in the law, (2) that new evidence has been discovered which was not previously available to the parties in the exercise of due diligence, or (3) that the court made a clear error of law." *Id.* "In order to demonstrate clear error, the party moving for reconsideration must do more than simply restate [their] prior arguments, and any arguments which the party inadvertently failed to raise earlier are deemed waived." *McCoy v. Macon Water Authority*, 966 F. Supp. 1209, 1222-23 (M.D. Ga. 1997).

The Plaintiffs have not met this burden. They have not alleged an intervening change in the law nor presented new evidence previously unavailable to them. Moreover, the Court is not persuaded that its ruling was clearly erroneous. The Plaintiffs' arguments are without merit.

Accordingly, the Plaintiffs' motion is **DENIED**. Furthermore, because their motion is denied and because this case is closed, the Plaintiffs' "motion for removal" of their attorney (Doc. 12) is **DENIED as moot**.

SO ORDERED, this 19th day of February, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT