

MINUTE ORDER

CASE NUMBER: CIVIL NO. 18-00364 LEK-KJM

CASE NAME: Danny Gallagher vs. MaternityWise International et al.,

JUDGE: Leslie E. Kobayashi

DATE: 03/31/2021

COURT ACTION: EO: COURT ORDER DENYING MOTION FOR RECONSIDERATION OF THIS COURT'S JANUARY 27, 2021 ORDER

On January 27, 2021, the Order Granting in Part and Denying in Part Defendants' Motion for Summary Judgment and Joinders Therein was issued ("1/27/21 Order"). [Dkt. no. 214.] On February 11, 2021, Defendants Anne Croudace, Jane Hopaki, and Kate Pavlovsky filed their motion for reconsideration of the 1/27/21 Order ("Reconsideration Defendants" and "Motion for Reconsideration"). [Dkt. no. 215.] The Court has considered the Motion for Reconsideration without a hearing and without further briefing. See Local Rule LR7.1(d) (listing motions for reconsideration among the motions that "shall be decided without a hearing"); Local Rule LR60.1 (stating no memorandum in opposition to a motion for reconsideration and no reply in support of a motion for reconsideration "shall be filed unless directed by the court").

The Reconsideration Defendants seek reconsideration of the portions of the 1/27/21 Order that denied summary judgment. [Mem. in Supp. of Motion for Reconsideration at 18.] "Ordinarily, orders denying summary judgment do not qualify as final decisions[.]" and are therefore interlocutory. Ortiz v. Jordan, 562 U.S. 180, 188 (2011) (internal quotation marks omitted).

Local Rule 60.1 states, in pertinent part:

Motions for reconsideration of interlocutory orders may be brought only upon the following grounds:

- (a) Discovery of new material facts not previously available;
- (b) Intervening change in law; and/or
- (c) Manifest error of law or fact.

Furthermore, "[m]otions for reconsideration are disfavored." Id. "Mere disagreement

with a previous order is an insufficient basis for reconsideration.” Riley v. Nat’l Ass’n of Marine Surveyors, Inc., Civil No. 14-00135 LEK-RLP, 2014 WL 4794003, at *1 (D. Hawai`i Sept. 25, 2014) (quoting Davis v. Abercrombie, Civil No. 11-00144 LEK-BMK, 2014 WL 2468348, at *3 n.4 (D. Hawai`i June 2, 2014)).

The Reconsideration Defendants have not identified new material facts, an intervening change in law, or any manifest errors of law or fact. Their disagreement with the 1/27/21 Order is not a sufficient basis for reconsideration. See Riley, 2014 WL 4794003, at *1.

Therefore, the Reconsideration Defendants’ Motion for Reconsideration is DENIED.

IT IS SO ORDERED.

Submitted by: Agalelei Elkington, Courtroom Manager