


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

TOSHIANO ISHII, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	CAUSE NO. 1:09-cv-1509-WTL-DML
)	
MARION COUNTY SUPERIOR COURT NO.)	
13, et al.,)	
)	
Defendants.)	

ENTRY REGARDING MOTION TO ALTER JUDGMENT

Pending before the Court is the Plaintiffs’ Motion to Alter Judgment brought pursuant to Federal Rule of Civil Procedure 59(e). In their motion, the Plaintiffs assert that the Court improperly awarded the Defendants costs in the amount of \$350.00 after remanding this case to the Marion County Superior Court. The Court entered its order awarding costs after considering the Plaintiffs’ written objection to the Defendants’ bill of costs. Rule 59(e) “does not provide a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance arguments that could and should have been presented to the district court prior to the judgment,” *U.S. v. Resnick*, 594 F.3d 562, 568 (7th Cir. 2010) (citation omitted). Because the Plaintiffs assert no argument in the instant motion that was not or could not have been advanced in their objection to the Defendants’ bill of costs, Rule 59 relief is not available to the Plaintiffs. Accordingly, the motion to alter judgment is **DENIED**.

SO ORDERED: 09/30/2010


 Hon. William T. Lawrence, Judge
 United States District Court
 Southern District of Indiana

Copies to all counsel of record via electronic notification