

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CNH CAPITAL AMERICA LLC,

PLAINTIFF

v.

NO. 3:10-CV-00350-CRS

HUNT TRACTOR, INC., et al.

DEFENDANTS

Opinion and Order

Defendant Dominic Pagano moves the Court to reconsider its prior ruling denying his renewed motion for summary judgment.

“Motions for reconsideration are extraordinary in nature and so should only be granted sparingly.” *Gesler v. Ford Motor Co.*, 185 F.Supp.2d 724, 729 (W.D. Ky. 2001). The Court may consider a previous ruling when the controlling law has changed, new evidence has become available, or to correct clear legal error or prevent manifest injustice. *Id.* A party’s mere disagreement with a prior ruling is no basis for reconsideration. *Id.*

Pagano does not argue that a change in law necessitates reconsideration. While Pagano presents bank statements from 2008 – 2009, Pagano presents no new evidence that has become available. Although Pagano argues that the Court committed clear error in finding a genuine issue of material fact as to whether Pagano was the legal cause of CNH’s loss, Pagano cites no case law to support a finding of clear legal error in the Court’s prior analysis.

The Court **DENIES** Pagano’s motion to reconsider (DN 160).

February 23, 2016



**Charles R. Simpson III, Senior Judge
United States District Court**