

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

ROBERT GOGUEN,)	
)	
Plaintiff,)	
)	
v.)	1:12-cv-00048-JCN
)	
JENNIFER GILBLAIR, et al.,)	
)	
Defendants)	

**DECISION AND ORDER ON PLAINTIFF’S
MOTION FOR RECONSIERATION**

Plaintiff asks the Court to reconsider its order denying Plaintiff’s motion for relief from judgment. (Motion for Reconsideration, ECF No. 180.) Plaintiff contends that reconsideration is appropriate in part because he believes the Court might not have received all of the record evidence he submitted in support of the motion.

To be entitled to relief on his motion for reconsideration, Plaintiff must demonstrate (1) the availability of new evidence not previously available, (2) an intervening change in controlling law, or (3) the need to correct a clear error of law or to prevent manifest injustice. *Int’l Ass’n of Machinists & Aerospace Workers v. Verso Corp.*, 121 F. Supp. 3d 201, 217 (D. Me. 2015).

Through his motion for reconsideration, Plaintiff maintains the Court did not have the portions of the trial transcript he submitted to demonstrate that certain defendants (Allen, Plourd, Bugbee, and Rizzo) presented perjured testimony at trial. First, regardless of whether the Court received the documents Plaintiff intended to file, the transcript of the

individuals identified in Plaintiff's motion was filed on the Court's docket in September 2016. (Trial Tr., ECF No. 154.) Furthermore, none of the information filed by or cited by Plaintiff constitutes evidence that was not previously available. Finally, Plaintiff has not established a change in the relevant law, a clear error of law, or that reconsideration is necessary to prevent a manifest injustice. Accordingly, the Court denies Plaintiff's motion for reconsideration. (ECF No. 180.)

/s/ John C. Nivison
U.S. Magistrate Judge

Dated this 21st day of May, 2018.