

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AMIRA SALEM,

Plaintiff,

v.

JOAN YUKINS, *et al.*,

Defendants.

Case No. 04-72250

Hon. John Corbett O'Meara
Hon. Virginia M. Morgan

**ORDER DENYING DEFENDANT SAWHNEY'S
MOTION FOR RECONSIDERATION**

Before the court is Defendant Dr. Indira Sawhney's motion for reconsideration, filed October 6, 2008. Although no response was ordered, Plaintiff submitted one on October 15, 2008. Pursuant to Local Rule 7.1(e)(2)(E.D. Mich. Sept. 8, 1998), the court did not hear oral argument.

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(g)(3). Further, "[m]otions for reconsideration do not allow the losing party to 'repeat arguments previously considered and rejected, or to raise new legal theories that should have been raised earlier.'" Owner-Operator Indep. Drivers Ass'n, Inc. v. Arctic Express, Inc., 288 F. Supp.2d 895, 900 (S.D. Ohio, 2003) (citation omitted).

Having filed a motion for reconsideration that presents the same issues ruled upon by the court, either expressly or by reasonable implication, Defendant has failed to demonstrate a

palpable defect by which the court and the parties have been misled.

Accordingly, IT IS HEREBY ORDERED that Defendant's October 6, 2008 motion for reconsideration is DENIED.

s/John Corbett O'Meara
United States District Judge

Date: October 28, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, October 28, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager