

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JANET FORD,

Plaintiff,

v.

Case No. 07-13303  
HONORABLE AVERN COHN

LOWE'S HOME CENTERS, INC.,

and

KENT NICKOLAUS,

Defendants.

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**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION**

This is an employment discrimination case. On October 31, 2008, the Court for the reasons stated in the Memorandum and Order Granting Defendants' Motion for Summary Judgment (dkt. 39) dismissed the case. Now before the Court are Plaintiff's Motion for Reconsideration and Supplemental Brief (dkt. 41, 45) and Defendants' Response to Plaintiff's Motion for Reconsideration (dkt. 46).

L.R. 7.1(g)(3) provides:

[T]he court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must 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.

Plaintiff's papers in support of reconsideration are essentially a rehash of her argument in opposition to defendants' motion for summary judgment.

As explained in the Court's memorandum, the reason for plaintiff's discharge was

poor performance. This is unlike the situation in Wexler v. White's Fine Furniture, Inc., 317 F. 564, 578 (6th Cir. 2003), "a case that on its facts could go either way."

The motion for reconsideration is DENIED.

SO ORDERED.

S/Avern Cohn  
AVERN COHN  
UNITED STATES DISTRICT JUDGE

Dated: December 17, 2008

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record on this date, December 17, 2008, by electronic and/or ordinary mail.

S/Julie Owens  
Case Manager, (313) 234-5160