

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ISAAC BROADEN,

Plaintiff,

CASE NO.: 2:08-cv-11625

v

HON. LAWRENCE P. ZATKOFF
MJ: DONALD A. SCHEER

REDFORD TOWNSHIP, DAVID KUTEK,
BRIAN JONES, JAMES MEADE, ERIC
WOODALL, RICHARD CORY, BRIAN
BOMMARITO, in their individual and
official capacities,

Defendants.

ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION

This matter comes before the Court on Plaintiff's motion for reconsideration, filed on March 20, 2009 [dkt 21]. On January 30, 2009, Plaintiff filed a motion to compel [dkt 16], which was scheduled for a hearing before Magistrate Judge Scheer on February 24, 2009. Magistrate Scheer denied the motion, and the Court entered an order reflecting that disposition on March 6, 2009. Plaintiff now challenges the Court's March 6, 2009, order denying Plaintiff's motion to compel. Pursuant to E.D. Mich. L.R. 7.1(g)(2), no response is permitted.

Local Rule 7.1(g)(3) governs motions for reconsideration, stating that "the 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." E.D. Mich. L.R. 7.1(g)(3). The same subsection further states, "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." *Id.* A defect is palpable when it is obvious, clear, unmistakable, manifest, or plain. *Mktg. Displays, Inc. v. Traffix Devices, Inc.*, 971 F. Supp. 262, 278 (E.D. Mich.

1997).

Plaintiff contends that his “causes of action against Defendants require the revelation of the [Confidential Informant]’s identity, or at a minimum, require an in-camera deposition be conducted of the [Confidential Informant] to explore the alleged control buy with Plaintiff, which served as a basis for the unlawful search.” In support of his motion for reconsideration, Plaintiff sets forth several cases “[i]n addition to the pleadings previously filed and the arguments and caselaw contained therein.” As Plaintiff effectively concedes, these additional cases and the argument associated with them merely expand the same issues that Plaintiff set forth in his original motion to compel. Accordingly, these issues have already been addressed “either directly or by reasonable implication.” Therefore, Plaintiff’s motion for reconsideration is **HEREBY DENIED**.

IT IS SO ORDERED.

s/Lawrence P. Zatkoff
LAWRENCE P. ZATKOFF
UNITED STATES DISTRICT JUDGE

Dated: April 2, 2009

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on April 2, 2009.

s/Marie E. Verlinde

Case Manager

(810) 984-3290