

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

DANIEL TAYLOR, *et al.*,

Plaintiffs,

v.

COUNTRYWIDE HOME LOANS,  
*et al.*,

Defendants.

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Case No. 08-13258

Stephen J. Murphy, III  
United States District Judge

Michael Hluchaniuk  
United States Magistrate Judge

**ORDER DENYING PLAINTIFFS' MOTION  
FOR RECONSIDERATION (Dkt. 135)**

Plaintiffs filed a complaint against defendants on July 29, 2008. (Dkt. 1). On September 15, 2008, District Judge Stephen J. Murphy, III referred this matter to the undersigned for all pretrial purposes. (Dkt. 12). On June 30, 2009, the Court entered an order on a variety of discovery motions filed by both parties. (Dkt. 134). Plaintiffs have filed a motion for reconsideration of this Court's order. (Dkt. 135).

According to E.D. Mich. LR 7.1(g), there are two prerequisites that an aggrieved party must establish in order to have its request for reconsideration favorably evaluated by the Court. *McLean v. Washtenaw County*, 2008 WL

4167085 (E.D. Mich. 2008). First, the motion must have been filed in a timely manner, that is, within 10 days after entry of the order. E.D. Mich. LR 7.1(g)(1).

Here, plaintiffs timely filed their request. Second, the movant must satisfy certain minimum standards for review:

Generally, and without restricting the court's discretion, the court will not grant motions for ... 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.

E.D. Mich. LR 7.1(g)(3). After careful and considered review of plaintiffs' motion for reconsideration, the Court can only conclude that plaintiffs have merely presented the same arguments and issues already disposed of by the Court and have failed to demonstrate a palpable defect. Based on the foregoing, plaintiffs' motion for reconsideration is **DENIED**.

**IT IS SO ORDERED.**

The parties to this action may object to and seek review of this Order, but are required to file any objections within 10 days of service as provided for in 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2). A party may not assign as error any defect in this Order to which timely objection was not made. Fed.R.Civ.P. 72(a). Any objections are required to specify the part of the Order to which the party

objects and state the basis of the objection. Pursuant to Local Rule 72.1(d)(2), any objections must be served on this Magistrate Judge.

Date: November 30, 2009

s/Michael Hluchaniuk  
Michael Hluchaniuk  
United States Magistrate Judge

### **CERTIFICATE OF SERVICE**

I certify that on November 30, 2009, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system, which will send electronic notification to the following: Michael W. Bartnik, Brian C. Summerfield, and Jason Canvasser.

s/Tammy Hallwood  
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