

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Liberty Mutual Insurance Company,

Plaintiff,

v.

City of Dearborn,

Defendant.

Case No. 11-13605

Honorable Nancy G. Edmunds

**OPINION AND ORDER DENYING LIBERTY MUTUAL'S MOTION FOR
RECONSIDERATION OF THE COURT'S ORDER DENYING LIBERTY MUTUAL'S
MOTION FOR SUMMARY JUDGMENT [74]**

Before the Court is Plaintiff Liberty Mutual's motion for reconsideration of the Court's December 3, 2013 opinion and order denying Liberty Mutual's motion for summary judgment and granting in part and denying in part Defendant City of Dearborn's motion for summary judgment. (Dkt. 74, 73.)

Pursuant to Rule 7.1(h) of the Local Rules for the Eastern District of Michigan, a party may file a motion for reconsideration within fourteen days after a court issues an order to which the party objects. Although a court has the discretion to grant such a motion, it generally will not grant a motion for reconsideration that "merely present[s] the same issues ruled upon by the court, either expressly or by reasonable implication." E.D. Mich. LR 7.1(h). To persuade the court to grant the motion, 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.*

The Court has reviewed Liberty Mutual's motion and is well-advised in its arguments, for the Court addressed those arguments in its motion for summary judgment. Liberty Mutual's motion is a request for the Court to revisit its findings on the contractor default holding. The Court finds that Liberty Mutual has not persuaded the Court that it committed a palpable defect in its December 3, 2013 opinion and order.

The Court therefore DENIES Liberty Mutual's motion for reconsideration.

So ordered.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: March 18, 2014

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 18, 2014, by electronic and/or ordinary mail.

s/Johnetta M. Curry-Williams
Case Manager
Acting in the Absence of Carol A. Hemeyer