

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GEORGE YONO and SALWA YONO,

Plaintiffs,

Case No. 13-13218
Honorable Gershwin A. Drain

v.

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR
LONG BEACH MORTGAGE TRUST
2004-6, and JPMORGAN CHASE BANK,
NA SUCCESSOR TO WASHINGTON
MUTUAL BANK,

Defendants.

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ORDER DENYING PLAINTIFFS' MOTION FOR RECONSIDERATION [#39]

On February 28, 2014, this Court entered an Order granting Defendant, Deutsche Bank National Trust Company's ("Deutsche") Motion to Dismiss [#15] and Defendant JPMorgan's Motion for Summary Judgment [#28]. See Dkt. No. 37. The Court's Order found in relevant part that even when the evidence was considered in a light most favorable to the non-moving party, the pleaded facts failed to substantiate that there was "more than a sheer possibility that a defendant...acted unlawfully." See Dkt. No. 37 at 4. The Court found that the Plaintiffs failed to qualify for a loan modification or redeem the property within the redemption period, therefore the subsequent Sheriff's sale is valid. Furthermore, the Court held that there was no breach of contract and no prejudicial or improper actions by the Defendants. In the present motion, Plaintiffs ask the Court to reconsider its ruling on the

Motion to Dismiss and the Motion for Summary Judgment.

Motions for Reconsideration are governed by Local Rule 7.1(h)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan, which 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 and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. L.R. 7.1(h)(3). Here, Plaintiffs merely re-raise the same arguments already considered and rejected by this Court. Plaintiffs identify no palpable defect by which this Court has been misled, the correction of which will result in a different disposition of this Court's February 28, 2014, Order granting Deutsche's Motion to Dismiss and JPMorgan's Motion for Summary Judgment.

Accordingly, Plaintiff's Motion for Reconsideration [#39] is DENIED.

SO ORDERED.

Dated: April 24, 2014

/s/Gershwin A Drain
GERSHWIN A. DRAIN
UNITED STATES DISTRICT JUDGE