

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHIGAN LABORERS'
PENSION FUND,

Plaintiffs,

Case No. 14-cv-14142
Hon. Matthew F. Leitman

v.

RITE WAY FENCE, INC. *et al.*,

Defendants.

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION (ECF #90)**

On January 17, 2017, Plaintiff the Michigan Laborers' Pension Fund filed a motion for summary judgment on its claims against Defendants Rite Way Fence, Inc., Marx Contracting, Inc., H & H Rentals, LLC, and Eugene Zapczynski. (*See* ECF #75.) The Court held a hearing on the Fund's motion on May 3, 2017. For the reasons explained on the record during the hearing, the Court granted the motion with respect to Defendants Rite Way, Marx, and H&H and denied the motion with respect to Defendant Zapczynski. (*See* ECF #89.)

On May 17, 2017, the Fund filed a Motion for Reconsideration. (*See* ECF #90). The Fund's reconsideration motion is **DENIED** because the Fund has not demonstrated a palpable defect by which the Court has been misled nor shown that

correcting such a defect (if it exists) would result in a different disposition of the case. *See* Local Rule 7.1(h).

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: May 31, 2017

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 31, 2017, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
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