

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CRACKERS DEMO, LLC,

Plaintiff,

v.

Case No. 22-cv-12821

Hon. Matthew F. Leitman

OPERATING ENGINEERS LOCAL  
324 PENSION FUND,

Defendant.

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**ORDER DENYING PLAINTIFF CRACKER DEMO, LLC'S  
MOTION FOR RECONSIDERATION AND CLARIFICATION  
OF OPINION AND ORDER DATED FEBRUARY 23, 2024**

On February 23, 2024, the Court entered an order resolving the parties' cross-motions for summary judgment, vacating an award entered by the arbitrator presiding over the arbitration between the parties, and remanding to the arbitrator for further proceedings. (*See* Order, ECF No. 30.) Plaintiff Crackers Demo, LLC ("Crackers"), has filed a motion for reconsideration and clarification of the order. (*See* Mot., ECF No. 31.) The motion is DENIED.

To the extent that the motion seeks reconsideration, it is denied because Crackers has not persuaded the Court that it made any error in its construction of the Road Agreement, much less an error that would warrant reconsideration of the Court's ruling.

To the extent that the motion seeks an order staying Crackers' obligation to make periodic withdrawal liability payments, the motion is denied because Crackers has not persuaded the Court that such a stay is warranted.

Finally, to the extent that the motion seeks an order restricting the scope of proceedings on remand, the motion is denied because Crackers has not persuaded the Court that it should limit the arbitrator's discretion to conduct the proceedings on remand as he sees fit.

**IT IS SO ORDERED.**

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

Dated: April 1, 2024

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 1, 2024, by electronic means and/or ordinary mail.

s/Holly A. Ryan  
Case Manager  
(313) 234-5126