

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WENDY ADELSON,

Plaintiff,

v.

OCWEN FINANCIAL, et al.,

Defendants.

Case No. 07-13142
Hon. Terrence G. Berg

**ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION AND STRIKING DEFENDANT'S
RESPONSE (Dkts. 95, 97)**

This matter is before the Court on two motions: (1) Plaintiff's April 11, 2017 motion for reconsideration (Dkt. 95) of the Court's March 28, 2017 Order Striking Plaintiff's Objections and Adopting the Magistrate's Report and Recommendation (Dkt. 93), and (2) Defendant's Response to Plaintiff's Motion for Reconsideration. (Dkt. 97).

For the reasons set forth below, it is **ORDERED** that Plaintiff's Motion for Reconsideration is **DENIED** and Defendant's response is **STRICKEN**.

I. ANALYSIS

The Court may grant a motion for reconsideration if the movant satisfactorily shows that: (1) a palpable defect misled the parties

and the Court; and (2) correcting the defect would result in a different disposition of the case. E.D. Mich. L.R. 7.1(h)(3). A defect is palpable if it is “obvious, clear, unmistakable, manifest, or plain.” *Olson v. Home Depot*, 321 F. Supp. 2d 872, 874 (E.D. Mich. 2004). The Court 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.” *Id.*

Plaintiff’s motion does not identify any palpable defects in the Court’s Order Striking Plaintiff’s Objections and Adopting the Magistrate’s Report and Recommendation. (Dkt. 93). Rather, it disagrees with the Court’s decision to strike Plaintiff’s objections and reiterates the objections to the Magistrate’s Report and Recommendation that Plaintiff raised in prior briefs. Because Plaintiff identifies no palpable defect in the Court’s order, her motion for reconsideration is not well taken and must be denied.

In addition, because Defendant’s response to Plaintiff’s motion runs afoul of the Eastern District of Michigan’s Local Rule 7.1(h)(2) (“no response to [a motion for reconsideration] and no oral argument are permitted unless the court orders otherwise”), it must be STRICKEN.

Accordingly, it is **ORDERED** that Plaintiff's motion for reconsideration (Dkt. 95) is **DENIED** and Defendant's response is **STRICKEN**.

SO ORDERED.

Dated: July 10, 2017

s/Terrence G. Berg

TERRENCE G. BERG

UNITED STATES DISTRICT JUDGE

Certificate of Service

I hereby certify that this Order was electronically filed, and the parties and/or counsel of record were served on July 10, 2017.

s/A. Chubb

Case Manager