

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK BRYANT, *et al.*,

Plaintiffs,

v.

Case No. 07-10447

FERRELLGAS, INC., *et al.*,

Honorable John Corbett O'Meara

Defendants,

and

FRANKENMUTH MUTUAL INSURANCE
COMPANY, Subrogee of Lillian Kuchar,

Plaintiff,

v.

FERRELLGAS, INC., *et al.*,

Defendants.

**ORDER DENYING DEFENDANTS' AUGUST 26, 2008
MOTION FOR RECONSIDERATION**

This matter came before the court on Defendants' August 26, 2008 motion for reconsideration of Ferrellgas' motion for expert testing. Pursuant to Local Rule 7.1(g)(2), no response was filed and no oral argument was heard.

Defendants seek reconsideration of the court's August 12, 2008 order affirming Magistrate Judge Mona Majzoub's July 9, 2008 opinion and order denying Defendants' expedited motion for additional expert testing.

Generally, and without restricting the court's discretion, the 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 have been misled but also show that correcting the defect will result in a different disposition of the case.

Local Rule 7.1(g)(3).

In this case Defendants' motion for reconsideration merely presents the same issues ruled upon by the court and fails to demonstrate a palpable defect by which the court and the parties have been misled.

ORDER

It is hereby **ORDERED** that Defendants' August 26, 2008 motion for reconsideration is **DENIED**.

s/John Corbett O'Meara
United States District Judge

Date: November 10, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, November 10, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager