

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FEDERAL DEPOSIT INSURANCE
CORPORATION, as Receiver for
Washington Mutual Bank,

Plaintiff,

Case No. 14-13706

v.

Hon. John Corbett O'Meara

FIDELITY NATIONAL TITLE INSURANCE
COMPANY, Successor by Merger to
Lawyers Title Insurance Corporation,

Defendant.

**ORDER DENYING MOTION
FOR RECONSIDERATION**

Before the court is Defendant's motion for reconsideration of the court's January 3, 2017 order denying Defendant's second motion for summary judgment.

The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall 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.

LR 7.1(h)(3). A motion for reconsideration "is not properly used as a vehicle to re-

hash old arguments or to advance positions that could have been argued earlier but were not.” Smith v. Mount Pleasant Schools, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (citing Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 357, 374 (6th Cir. 1998)).

In its motion for reconsideration, Defendant re-argues matters already ruled upon by the court, expressly or by implication

Accordingly, IT IS HEREBY ORDERED that Defendant’s motion for reconsideration is DENIED.

s/John Corbett O’Meara
United States District Judge

Date: January 23, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, January 23, 2017, using the ECF system.

s/William Barkholz
Case Manager