

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

BEASLEY INSURANCE COMPANY,)
INC, et al.,)
)
Plaintiffs,)
)
vs.)
)
BROWN & JAMES, P.C., et al.,)
)
)
Defendants.)

Case No. 4:18-CV-01689-AGF

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiffs’ motion (ECF No. 111) for reconsideration of the Court’s Memorandum and Order dated May 29, 2019 (ECF No. 107), dismissing Plaintiffs’ legal malpractice, breach of fiduciary duty, and fraud claims for failure to state a claim. Plaintiffs argue that reconsideration is warranted because the Court misunderstood their allegations and manifestly erred in its conclusions of law. Alternatively, Plaintiffs seek leave to amend their complaint to re-plead these claims.¹

Although district courts have discretion in ruling on motions for reconsideration, in general, “[m]otions for reconsideration serve a limited function: to correct manifest errors of law or fact or to present newly discovered evidence.” *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988) (citation omitted).

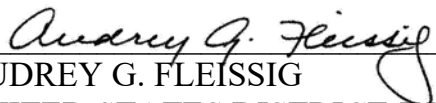
Plaintiffs have failed to demonstrate that reconsideration is warranted here. The

¹ Plaintiffs’ motion also requests oral argument. But in light of the extensive briefing on these issues, the Court does not believe that oral argument is necessary.

Court gave careful consideration to the arguments that Plaintiffs presented in opposition to Defendants' motions to dismiss, and again now for reconsideration. The Court still concludes that Plaintiffs have failed to state a claim for legal malpractice, breach of fiduciary duty, or fraud. And as Plaintiffs have neither attached a proposed amended complaint nor explained how the complaint could be amended to save these claims, the Court will deny Plaintiffs' request for leave to amend. *See, e.g., Soueidan v. St. Louis Univ.*, 926 F.3d 1029, 1037 (8th Cir. 2019).

Accordingly,

IT IS HEREBY ORDERED that Plaintiffs' motion for reconsideration is **DENIED**. ECF No. 111.



AUDREY G. FLEISSIG
UNITED STATES DISTRICT JUDGE

Dated this 9th day of August, 2019.