

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT RILEY,

Plaintiff,

vs.

OUTLOOK NEBRASKA, INC.,

Defendant.

**8:12CV168**

**ORDER**

This matter is before the court on plaintiff's motion to amend the findings and judgment, [Filing No. 73](#), of this court, [Filing Nos. 66](#) and [67](#). The court has carefully reviewed the motion, and declines to grant it. Generally, a motion to amend is filed for the purpose of fixing a clerical or glaring error in the memorandum and order. The purpose of Rule 52(b) is to provide the court an opportunity to correct manifest errors of law or fact at trial. [Lincoln Provision, Inc. v. Aron Puretz, PMP, LLC, 2013 WL 6283736, at \\*2 \(D. Neb. Dec. 4, 2013\)](#); [Fed. R. Civ. P. 52\(b\)](#). Motions made under Rule 52(b) "are not intended merely to re-litigate old matters nor are such motions intended to allow the parties to present the case under new theories of law." [Pro Edge L.P. v. Gue, 377 F. Supp.2d 694, 698 \(N.D. Iowa 2005\)](#). In this case, plaintiff is merely revisiting the facts and law previously decided by this court and making the same arguments previously made to this court. The court declines to relitigate these same issues. Accordingly, the court will deny the motion.

THEREFORE, IT IS ORDERED that plaintiff's motion to amend the findings and judgment, [Filing No. 73](#), is denied.

Dated this 16th day of September, 2014.

BY THE COURT:

s/ Joseph F. Bataillon  
United States District Judge