

1 motion for reconsideration (ECF No. 83), which the Court denied (ECF No. 86 at 8).
2 Plaintiff once again seeks reconsideration.

3 **III. LEGAL STANDARD**

4 A motion to reconsider must set forth “some valid reason why the court should
5 reconsider its prior decision” and set “forth facts or law of a strongly convincing nature to
6 persuade the court to reverse its prior decision.” *Frasure v. United States*, 256 F. Supp.
7 2d 1180, 1183 (D. Nev. 2003). Reconsideration is appropriate if this Court “(1) is presented
8 with newly discovered evidence, (2) committed clear error or the initial decision was
9 manifestly unjust, or (3) if there is an intervening change in controlling law.” *Sch. Dist. No.*
10 *1J v. ACandS, Inc.*, 5 F.3d 1255, 1263 (9th Cir. 1993). “A motion for reconsideration is not
11 an avenue to re-litigate the same issues and arguments upon which the court already has
12 ruled.” *Brown v. Kinross Gold, U.S.A.*, 378 F. Supp. 2d 1280, 1288 (D. Nev. 2005).

13 **IV. DISCUSSION**

14 The Court denied Plaintiff’s earlier motion for reconsideration. (See ECF Nos. 83,
15 86.) Thus, the claims Plaintiff advanced that gave rise to federal question jurisdiction
16 remain dismissed with prejudice. (See ECF No. 74 at 8.) The Court did not resolve
17 Plaintiff’s state law claims—the Court remanded them to Nevada’s Eighth Judicial District
18 Court. (Id.) It is up to that court to decide how to address Plaintiff’s state law claims. To
19 the extent Plaintiff disagrees with rulings in the state court, his remedy is to seek relief
20 through the state courts. Plaintiff’s motion constitutes a clear attempt “to re-litigate the
21 same issues and arguments upon which the court already has ruled.” *Brown*, 378 F. Supp.
22 2d at 1288. Accordingly, the Court will deny Plaintiff’s Motion.

23 **V. CONCLUSION**

24 The Court notes that the parties made several arguments and cited to several cases
25 not discussed above. The Court has reviewed these arguments and cases and determines
26 that they do not warrant discussion as they do not affect the outcome of the Motion.

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It is therefore ordered that Plaintiff's Motion (ECF No. 88) is denied.

DATED THIS 22nd day of April 2019.



MIRANDA M. DU
UNITED STATES DISTRICT JUDGE