

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Thomas Thompson,
Plaintiff

v.

Civil No. 09-cv-82-SM

Todd Gordon, Nicholas Granville,
Vincent Williams, John Does 1-5,
and Hillsborough County,
Defendants

NOTICE OF RULING

Re: Document No. 26
Plaintiff's Motion to Reconsider Summary Judgment Order

Ruling: Denied. Plaintiff moves the court to reconsider its order granting defendants' motion for summary judgment, saying he has additional evidence he wishes to have considered. But, as plaintiff readily concedes, that evidence was available to him when he objected to defendants' motion for summary judgment. As the court of appeals has made clear, "'a motion for reconsideration is appropriate where the court has misapprehended the facts, a party's position, or the controlling law,' but is not appropriate as a 'vehicle to reargue an issue previously addressed by the court when the motion merely advances new arguments or supporting facts which were available at the time of the original motion.'" Platten v. HG Bermuda Exempted Ltd., 437 F.3d 118, 139 (1st Cir. 2006) (quoting Servants of Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000)).

Entered by: Steven J. McAuliffe, Chief Judge

Date: August 18, 2010

cc: John A. Curran, Esq.
Elizabeth L. Hurley, Esq.
Michael J. Sheehan, Esq.