

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

CAMRON McALLISTER,)	
)	
Plaintiff,)	
)	
vs.)	Case Number CIV-15-371-C
)	
TRAVIS W. WATKINS; and)	
TRAVIS W. WATKINS, P.C.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

On October 20, 2016, the Court granted Defendants’/Third-Party Plaintiffs’ motion for summary judgment (Dkt. No. 121), which resulted in judgment being entered in their favor the same day. Now before the Court is Plaintiff’s Motion for Reconsideration and to Alter or Amend Judgment (Dkt. No. 126). Defendants have responded and the Motion is now at issue.

To be successful in a motion for reconsideration made pursuant to Fed. R. Civ. P. 59, the movant must show one of the grounds warranting a motion for reconsideration, including: “(1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice.” Servants of Paraclete v. Does, 204 F.3d 1005, 1012 (10th Cir. 2000) (citations omitted). As the Tenth Circuit has stated, “[i]t is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.” Id.

In support of his Motion, Plaintiff argues that the judgment should be altered because (1) Plaintiff did meet the “but for” element of professional negligence and (2) Plaintiff did

suffer damages. Plaintiff presents no change of controlling law; nor does he argue the need to correct clear error or prevent manifest injustice. The arguments in favor of reconsideration rely on evidence that was either previously considered by the Court or was available to Plaintiff at the proper time of briefing, but which he chose not to include in his arguments. Plaintiff has failed to provide any valid ground upon which his Motion may rest. Accordingly, the Motion for Reconsideration (Dkt. No. 126) is DENIED.

IT IS SO ORDERED this 7th day of December, 2016.



ROBIN J. CAUTHRON
United States District Judge