

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

STICHTING MAYFLOWER MOUNTAIN
FONDS and STICHTING MAYFLOWER
RECREATIONAL FONDS,

Plaintiffs,

vs.

THE CITY OF PARK CITY UTAH,

Defendant,

UNITED PARK CITY MINES CO.,

Defendant/Counterclaim Plaintiff,

vs.

ARIE CORNELIS BOGERD,
MAYFINANCE CV, STICHTING BEHEER
MAYFLOWER PROJECT,

Counterclaim Defendant.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFFS'
MOTION FOR RECONSIDERATION

Case No. 2:04-CV-925 TS

This matter is before the Court on Plaintiffs' Motion for Reconsideration. "[T]he Federal Rules of Civil Procedure do not recognize that creature known all too well as the 'motion to

reconsider' or 'motion for consideration.' Of course, a district court always has the inherent power to reconsider its interlocutory rulings.”¹


“Grounds warranting a motion to reconsider include (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.”² “[A] motion for reconsideration is appropriate where the court has misapprehended the facts, a party’s position, or the controlling law. It is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.”³

Having reviewed Plaintiffs’ Motion, the Court finds that it falls short of this standard. It is therefore

ORDERED that Plaintiffs’ Motion for Reconsideration (Docket No. 448) is DENIED.

DATED March 12, 2013.

BY THE COURT:



TED STEWART
United States District Judge

¹*Warren v. Am. Bankers Ins. of Fla.*, 507 F.3d 1239, 1243 (10th Cir. 2007).

²*Servants of Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000).

³*Id.* (citation omitted)