
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

GENERAL CHARLES E. "CHUCK"
YEAGER (RET.), an individual,

Plaintiff,

v.

FORT KNOX SECURITY PRODUCTS,
INC., a Utah Corporation,

Defendant.

MEMORANDUM DECISION AND
ORDER DENYING PLAINTIFF'S
MOTION TO ALTER OR AMEND
JUDGMENT OR TO GRANT RELIEF
FROM JUDGMENT

Case No. 2:11-CV-91 TS

District Judge Ted Stewart

This matter is before the Court on Plaintiff's Motion to Alter or Amend Judgment or to Grant Relief from Judgment.

Federal Rule of Civil Procedure 59(e) provides that "[a] motion to alter or amend a judgment must be filed no later than 28 days after the entry of the judgment." Rule 60(b) allows a party to seek relief from a final judgment because of mistake, inadvertence, surprise, or excusable neglect, or any other reason that justifies relief.

"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."¹ "Thus, 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."²

¹ *Servants of Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000).

² *Id.* (internal citation omitted).

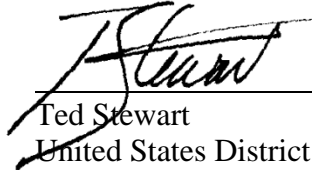
The Court has reviewed parties' arguments. Having reviewed those arguments, the Court will deny Plaintiff's Motion.

It is therefore

ORDERED that Plaintiff's Motion to Alter or Amend Judgment or to Grant Relief from Judgment (Docket No. 169) is DENIED.

DATED this 25th day of November, 2015.

BY THE COURT:



Fed Stewart
United States District Judge