

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

I/P ENGINE, INC.,

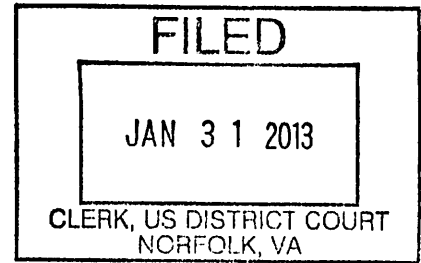
Plaintiff,

V.

AOL INC., *et al.*,

Defendants.

CIVIL ACTION NO. 2:11cv512

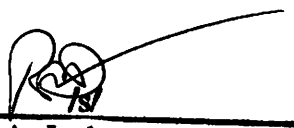


ORDER

Before the Court is Plaintiff's Motion for Judgment under Rule 52(b) and a New Trial under Rule 59 on Laches (ECF No. 835). Rule 52(b) dictates that "[o]n a party's motion filed no later than 28 days after the entry of judgment, the court may amend its findings--or make additional findings--and may amend the judgment accordingly. The motion may accompany a motion for a new trial under Rule 59." As courts have noted, "[a]mong the purposes of such a motion is to correct manifest errors of law or fact." *Morrow Corp. v. Harleysville Mut. Ins. Co.*, 110 F. Supp. 2d 441, 445 (E.D. Va. 2000). Furthermore, "[t]he purpose of Rule 52(b) is to allow a court to correct manifest errors of law or fact, or in limited circumstances, to present newly discovered evidence, but not to relitigate old issues, to advance new theories, or to secure a rehearing on the merits." *U.S. v. Mathis*, No. 6:06-815, 2008 WL 906554, *1 (D.S.C., 2008). Having reviewed the briefing by the parties, the Court finds no manifest errors of law or fact to correct which would change its finding on laches. As a result, Plaintiff's Motion for Judgment under Rule 52(b) and a New Trial under Rule 59 on Laches (ECF No. 835) is **DENIED**. The Clerk is **DIRECTED** to send a copy of this Order to counsel and parties of record.

IT IS SO ORDERED.

Norfolk, Virginia
January 31, 2013



Raymond A. Jackson
United States District Judge