

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Dec 10, 2018

SEAN F. MCAVOY, CLERK

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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
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8 KENNETH KLUTH and STEPHEN
9 SCHENK,

10 Plaintiffs,

11 v.

12 SANTANDER CONSUMER USA INC.,
13 and AUTO TRACKERS AND
14 RECOVERY NORTH, LLC,

15 Defendants.
16

No. 1:17-cv-03149-SAB

**ORDER DENYING
PLAINTIFFS' MOTION TO
RECONSIDER**

17 Before the Court is Plaintiffs' Motion to Reconsider and Vacate Order on
18 Summary Judgment and Clerk's Judgment, ECF No. 51. The motion was heard
19 without oral argument. Plaintiffs are represented by Alex B. Trueblood and Kirk D.
20 Miller. Defendants are represented by Karleen J. Scharer and Stephen G. Skinner.

21 Previously, this case was closed as a result of the parties' providing Notice
22 of Settlement. ECF No. 50. Plaintiffs ask this Court to reopen the case so that the
23 Court can vacate its Order granting Defendant's Motion for Summary Judgment.
24 The Court is not inclined to do so. Plaintiffs have not demonstrated that
25 extraordinary circumstances exist to reopen this case and vacate the Court's order
26 and judgment. Notably, Plaintiffs have not demonstrated they have suffered any
27 manifest injustice by the entry of the Order.

28 Accordingly, **IT IS HEREBY ORDERED:**

ORDER DENYING PLAINTIFFS' MOTION TO RECONSIDER ~ 1

1 1. Plaintiffs' Motion to Reconsider and Vacate Order on Summary
2 Judgment and Clerk's Judgment, ECF No. 51, is **DENIED**.

3 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
4 file this Order, provide copies to counsel and close the file.

5 **DATED** this 10th day of December 2018.



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A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is written in a cursive style and is positioned to the right of the seal.

13 Stanley A. Bastian
14 United States District Judge