

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

Jun 04, 2018

SEAN F. McAVOY, CLERK

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5 UNITED STATES DISTRICT COURT  
6 EASTERN DISTRICT OF WASHINGTON  
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8 RICHARD N. BATSON and BEVERLY J. No. 2:15-cv-00193-SAB

9 JONES-BATSON,

10 Plaintiffs,

**ORDER DENYING**

11 v.

**RECONSIDERATION**

12 DEUTSCHE BANK TRUST AMERICAS,

13 INDENTURED TRUSTEE FOR SASTA

14 2005-3 MORTGAGE BACKED ASSETS

15 2005-3, OCWEN LOAN SERVICING

16 LLC,

17 Defendants.

18 Before the Court is pro se Plaintiffs' Motion for Judgment as a Matter of  
19 Law, New Trial, Amend Findings and Judgment Entry, Judgment to be Set Out in  
20 Separate Document of Court Order Dismissing Case with Prejudice, ECF No. 206.  
21 The Court construes Plaintiffs' motion as a request to reconsider its Order  
22 Dismissing Case, ECF No. 204.

23 Motions for reconsideration are generally disfavored and are considered "an  
24 extraordinary remedy, to be used sparingly in the interests of finality and  
25 conservation of judicial resources." *Kona Enters., Inc. v. Estate of Bishop*, 229  
26 F.3d 877, 890 (9th Cir. 2000) (internal quotation marks omitted). A motion for  
27 reconsideration may be granted when: (1) there is an intervening change in  
28 controlling law; (2) the moving party presents newly discovered or previously

ORDER DENYING RECONSIDERATION ^ 1

1 unavailable evidence; or (3) the motion is necessary to correct manifest errors of  
2 law or fact upon which the judgment is based. *Turner v. Burlington N. Santa Fe R.*  
3 *Co.*, 338 F.3d 1058, 1063 (9th Cir. 2003).

4 Motions for reconsideration are not to re-hash arguments the Court has  
5 already thought through, or present arguments or evidence for the first time which  
6 could reasonably have been raised earlier in the litigation. *See Kona Enters., Inc.*,  
7 229 F.3d at 890. “Whether or not to grant reconsideration is committed to the  
8 sound discretion of the court.” *Navajo Nation v. Confederated Tribes and Bands of*  
9 *the Yakama Indian Nation*, 331 F.3d 1041, 1046 (9th Cir. 2003).

10 The Court finds no grounds to reconsider its earlier decision.

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

12 1. Plaintiffs’ Motion for Judgment as a Matter of Law, New Trial, Amend  
13 Findings and Judgment Entry, Judgment to be Set Out in Separate Document of  
14 Court Order Dismissing Case with Prejudice, ECF No. 206, is **DENIED**.

15 **IT IS SO ORDERED.** The District Court Executive is hereby directed to  
16 file this Order, provide copies to counsel and pro se Plaintiffs, and close this file.

17 **DATED** this 4th day of June 2018.



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A handwritten signature in blue ink that reads "Stanley A. Bastian".

23 Stanley A. Bastian  
24 United States District Judge  
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