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8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 REVERSE NOW VII, LLC,

11 Plaintiff,

12 v.

13 OREGON MUTUAL INSURANCE
14 COMPANY,

15 Defendant.

CASE NO. C16-209-MJP


ORDER DENYING MOTION FOR
RECONSIDERATION

16 THIS MATTER comes before the Court on Defendant Oregon Mutual Insurance
17 Company's Motion for Reconsideration of the Court's Order on its Motion for Summary
18 Judgment. (Dkt. Nos. 43, 44.)

19 Motions for Reconsideration are disfavored and ordinarily will not be granted "in the
20 absence of a showing of manifest error in the prior ruling or a showing of new facts or legal
21 authority . . ." LCR 7(h)(1). Oregon Mutual claims the Court should reconsider its finding that
22 questions of fact precluded summary judgment in light of "new evidence," which it claims
23 "make clear that Oregon Mutual did not make unreasonably low offers, but instead was
24 attempting to adjust the claim based on the information on hand and in the face of active

1 obstruction.” (Dkt. No. 43 at 3.) In particular, Oregon Mutual points to a June 2015 email from
2 Mr. Moreland stating that the test repair initially appeared to match, but the color did not hold as
3 the product cured over time and “the results are not very good.” (See Dkt. No. 45 at Ex. 5.)
4 Oregon Mutual claims this email shows that “Reverse Now believed that a match may be
5 possible prior to this first attempt at a test patch,” but “did not inform Oregon Mutual of its
6 position that a match could not be made until its letter of November 6, 2015.” (Dkt. No. 44 at 3.)
7 It is not clear to the Court why this would be grounds for reconsideration. If anything, this “new
8 evidence” further supports Plaintiff’s claim that matching was not feasible. Questions of fact
9 remain as to whether Oregon Mutual’s conduct and its offer for payment were reasonable.
10 Therefore, the Court DENIES the Motion for Reconsideration.
11 The clerk is ordered to provide copies of this order to all counsel.

12 Dated February 15, 2018.

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15 Marsha J. Pechman
16 United States District Judge
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