

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 Case No. C17-399 RSM

11 KATHARYN KALMBACH, individually and
12 on behalf of all others similarly situated,

ORDER DENYING MOTION FOR
RECONSIDERATION

13 Plaintiff,

14 v.

15 NATIONAL RIFLE ASSOCIATION OF
16 AMERICA, a New York corporation, and
17 INFOCISION, INC., a Delaware corporation,

18 Defendants.

19
20 This matter comes before the Court on Defendants' Motion for Reconsideration. Dkt.
21 #39. Defendants ask that the Court reconsider its February 6, 2018, Minute Order re-noting
22 Defendants' Motion to Deny Class Certification (Dkt. #37) to July 13, 2018, and requiring that
23 Plaintiff note her motion for class certification for that same day.

24 "Motions for reconsideration are disfavored." LCR 7(h)(1). "The court will ordinarily
25 deny such motions in the absence of a showing of manifest error in the prior ruling or a
26 showing of new facts or legal authority which could not have been brought to its attention
27 earlier with reasonable diligence." *Id.* In conducting a class action, the Court has the authority
28

ORDER DENYING MOTION FOR RECONSIDERATION - 1

1 to “determine the course of proceedings or prescribe measures to prevent undue repetition or
2 complication in presenting evidence or argument.” Fed. R. Civ. P. 23(d)(1).

3 The Court has reviewed Defendants’ Motion and finds that Defendants fail to show
4 manifest error or new facts or legal authority. Defendants instead argue that this is not an
5 ordinary situation and that Defendants’ Motion to Deny Class Certification should be heard on
6 its original noting date to promote early resolution of the class certification question and reduce
7 undue repetition and complication. Dkt. #39 at 2. After reviewing Defendants’ Motion and the
8 Response from Plaintiff, the Court finds that Defendants have failed to convince the Court that
9 reconsideration of its Minute Order will reduce undue repetition and complication.
10

11 Accordingly, and after having reviewed the relevant briefing and the remainder of the
12 record, the Court hereby finds and ORDERS that Defendants’ Motion for Reconsideration,
13 (Dkt. #39) is DENIED.
14

15 DATED this 26 day of February 2018.
16

17 

18 RICARDO S. MARTINEZ
19 CHIEF UNITED STATES DISTRICT JUDGE
20
21
22
23
24
25
26
27
28