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

10 SCOTT MILLER, MICHAEL  
SPAULDING,

11 Plaintiffs,

12 v.

13 KSHAMA SAWANT,

14 Defendant.  
15

CASE NO. C18-506 MJP

ORDER DENYING MOTION FOR  
RECONSIDERATION

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17 This matter comes before the Court on Plaintiffs' Motion for Reconsideration. (Dkt. No.  
18 123.) Having reviewed the Motion and all supporting materials, the Court DENIES the Motion.


19 Motions for reconsideration are disfavored. Local Civil Rule 7(h)(1). "The court will  
20 ordinarily deny such motions in the absence of a showing of manifest error in the prior ruling or  
21 a showing of new facts or legal authority which could not have been brought to its attention  
22 earlier with reasonable diligence." Id.

23 Plaintiffs assert that the Court committed manifest error in denying their request for fees  
24 and costs under Rule 37. There is no merit to this argument. As Plaintiffs concede, fees and costs

1 are not appropriate if the failure to provide the discovery sought was “substantially justified or  
2 other circumstances make an award of expenses unjust.” Fed. R. Civ. P. 37(d)(3). The Court  
3 provided a complete analysis of the reasons why an award of fees and costs was not appropriate  
4 on the record before it. (See Order on Motion to Compel at 4-6 (Dkt. No. 115).) Plaintiffs’  
5 Motion for Reconsideration simply reargues points that were or could have been made and it  
6 fails to demonstrate any manifest error in the Court’s decision. The Court DENIES the Motion.

7 The clerk is ordered to provide copies of this order to all counsel.

8 Dated January 25, 2023.

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10 Marsha J. Pechman  
11 United States Senior District Judge  
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