

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

WARREN G. TAYLOR and MELINDA	)	
TAYLOR, Husband and Wife, and as	)	Case No. CV-05-225-S-BLW
Natural and Legal Guardians of STACY	)	
TAYLOR, a Minor; and CHRISTINE	)	<b>MEMORANDUM</b>
TAYLOR, an Individual,	)	<b>DECISION AND ORDER</b>
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
PAUL AND JUDY SAMSON, Husband	)	
and Wife; and INTERMOUNTAIN GAS	)	
COMPANY, an Idaho Corporation,	)	
	)	
Defendants.	)	
	)	

The Court has before it Plaintiffs' Motion for Reconsideration (Docket No. 77). "Courts have distilled various grounds for reconsideration of prior rulings into three major grounds for justifying reconsideration: (1) an intervening change in controlling law; (2) the availability of new evidence or an expanded factual record; and (3) need to correct a clear error or to prevent manifest injustice." Louen v Twedt, 2007 WL 915226 (E.D.Cal. March 26, 2007). If the motion to reconsider does not fall within one of these three categories, it must be denied. In this case, the Court finds that Plaintiffs' motion does not fall within one of these

categories, and therefore the Court will deny the motion.

The Court will note, however, that although it is denying the motion to reconsider, the Court found Plaintiffs' memorandum in support of the motion to reconsider much better organized and much better reasoned, with more specific references to the record, than was Plaintiffs' opposition to Defendants' motions for summary judgment. On summary judgment, the Court is "not required to comb through the record to find some reason to deny a motion for summary judgment." Carmen v. San Francisco Unified Sch. Dist., 237 F.3d 1026, 1029 (9th Cir.2001) (quoting Forsberg v. Pac. Northwest Bell Tel. Co., 840 F.2d 1409, 1418 (9<sup>th</sup> Cir. 1988)). Instead, the "party opposing summary judgment must direct [the Court's] attention to specific triable facts." Southern California Gas Co. v. City of Santa Ana, 336 F.3d 885, 889 (9<sup>th</sup> Cir. 2003).

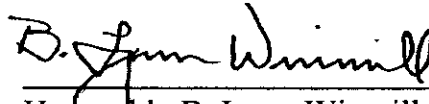
Thus, although, as stated in the Court's earlier opinion, summary judgment in favor of Defendants is proper in this case, the Court notes that Plaintiffs' brief in opposition to the motions for summary judgment would have been better received had it included the detail, analysis and references to the record found in the memorandum in support of the motion for reconsideration.

**ORDER**

NOW THEREFORE IT IS HEREBY ORDERED that Plaintiffs' Motion for Reconsideration (Docket No. 77) shall be, and the same is hereby, DENIED.



DATED: **October 5, 2007**

  
Honorable B. Lynn Winmill  
Chief U. S. District Judge