

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GERALD ASH,

Plaintiff,

Case No. 12-15201
HON. GEORGE CARAM STEEH

vs.

WALGREENS SPECIALTY
PHARMACY, LLC, and
WALGREENS CO.,

Defendants.

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ORDER DENYING DEFENDANTS' MOTION FOR RECONSIDERATION

On January 22, 2014, this court granted in part, and denied in part, defendants' motion for summary judgment. Defendants have filed a motion for reconsideration. Local Rule 7.1(h)(3) of the Local Rules of the United States District Court for the Eastern District of Michigan provides:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration that merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant must not only demonstrate a palpable defect by which the court and the parties and other persons entitled to be heard on the motion have been misled but also show that correcting the defect will result in a different disposition of the case.

E.D. Mich. L.R. 7.1(h)(3). Defendants have failed to demonstrate a palpable defect by which this court has been misled, the correction of which will result in a different disposition of this case. While the fact finder may conclude that defendants' view of the weight and meaning of the evidence is accurate, this court is constrained to view the evidence in the light most favorable to the non-movant.

Accordingly, defendants' motion for reconsideration (Doc. 29) is DENIED.

SO ORDERED.

Dated: March 5, 2014

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
March 5, 2014, by electronic and/or ordinary mail.

s/Marcia Beauchemin
Deputy Clerk