

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

PLAINTIFF INVESTMENT FUNDING,
LLC,

Plaintiff,

Case No. 14-143018-CK

v

Hon. Wendy Potts

THOMAS P. CASEY, et al,

Defendants.

OPINION AND ORDER RE: DEFENDANTS' MOTION FOR RECONSIDERATION
REGARDING THEIR MOTION FOR CHANGE OF VENUE

At a session of Court
Held in Pontiac, Michigan

On
JAN 23 2015

Defendants Thomas P. Casey and Law Office of Thomas P. Casey, PC move the Court to reconsider its decision denying Defendants' motion for change of venue. The Court has discretion to grant or deny reconsideration. MCR 2.119(F)(3); *Charbeneau v Wayne County General Hosp*, 158 Mich App 730, 733; 405 NW2d 151 (1987). Reconsideration is warranted if a party identifies a palpable error by which the Court and the parties have been misled and shows that a different disposition must result from correction of that error. MCR 2.119(F)(3).

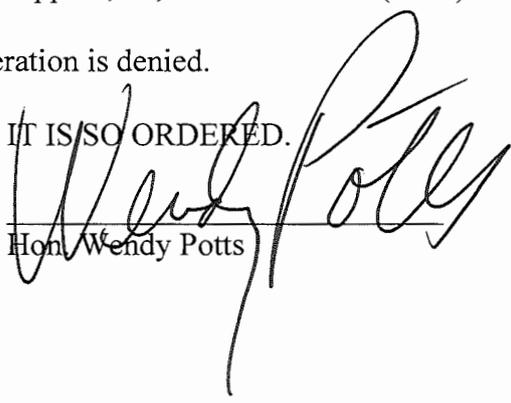
Defendants have not identified any error in the Court's decision, much less a palpable error. Defendants' reconsideration arguments largely focus on the alleged deficiencies in Plaintiff's brief and evidence opposing the motion. Defendants' issues and arguments were or could have been raised in their original motion for change of venue, and, thus, cannot

demonstrate palpable error. *Churchman v Rickerson*, 240 Mich App 223, 233; 611 NW2d 333 (2000). The fact that Defendants disagree with the Court's ruling also does not amount to palpable error. *Herald Co v Tax Tribunal*, 258 Mich App 78, 83; 669 NW2d 862 (2003).

Therefore, Defendants' motion for reconsideration is denied.

Dated: **JAN 23 2015**

IT IS SO ORDERED.


Hon. Wendy Potts