

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

BAYSIDE MICHIGAN, INC. et al.,

Plaintiffs,

Case No. 2015-146663-CZ

v.

Hon. Wendy Potts

BLUE MARLIN, LLC, et al.,

Defendants.

OPINION AND ORDER RE: DEFENDANTS' MOTION RECONSIDERATION OF ORDER

At a session of Court
Held in Pontiac, Michigan

On

FEB 25 2016

The matter is before the Court on Defendants' Motion for Reconsideration of this Court's January 28, 2016 Order. The Court dispenses with oral argument pursuant to MCR 2.119(F)(2).

This Court issued an Order Regarding Plaintiffs' Motion for Default, Default Judgment and for Costs and Attorney Fees on January 28, 2016 entering a default against Defendants and dismissing Defendants' counterclaims as a sanction for failure to cooperate with discovery and comply with the Court's orders. Defendants now request the Court grant their motion for reconsideration. MCR 2.119(F) governs Motions for Rehearing or Reconsideration.

MCR 2.119(F)(3) provides, in relevant part:

[A] motion for rehearing or reconsideration which merely presents the same issues ruled on by the court, either expressly or by reasonable implication, will not be granted. The moving party must demonstrate a palpable error by which the

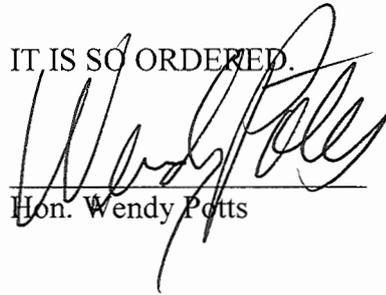
court and the parties have been misled and show that a different disposition of the motion must result from correction of the error.

The Court finds that Defendants' motion for reconsideration merely presents the same issues that were already ruled on by this Court. The Court finds that the Defendants have failed to demonstrate a palpable error and show that a different disposition of their motion must result from correction of the error. Accordingly, Defendants' motion is denied.

Dated:

FEB 25 2016

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read "Wendy Potts", written over a horizontal line.

Hon. Wendy Potts