

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

LAWRENCE F. JASPER, II,
Plaintiff,

Case No. 2015-147901-CB
Hon. Wendy Potts

v

BLOOMFIELD VILLAGE INVESTOR
HOLDINGS, LLC, DONALD J. NEWMAN,
CRG CAPITAL PARTNERS, STEVE TOWLE,
PCCP, LLC, and REDICO, LLC,
Defendants.

**OPINION AND ORDER RE: PLAINTIFF'S MOTION FOR RECONSIDERATION AND
CORRESPONDING AMENDMENT**

At a session of Court
Held in Pontiac, Michigan

On

APR 15 2016

This matter is before the Court on Plaintiff's Motion to Reconsider the Order Issued on February 23, 2016 Regarding Defendants' Summary Disposition Motions and Plaintiff's Motion for Declaration as well as Plaintiff's corresponding Amendment. The Court dispenses with oral argument pursuant to MCR 2.119(F)(2).

In review of Plaintiff's motion and amendment, the Court relies on MCR 2.119(F)(3), which 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 grant or denial of a motion for reconsideration rests within the discretion of the trial court." *Charbeneau v Wayne Cty. Gen. Hosp.*, 158 Mich App 730, 733; 405 NW2d 151 (1987).

On February 23, 2016, the Court issued its Opinion and Order Re: Defendants' Summary Disposition Motions and Plaintiff's Motion for Declaration wherein the Court dismissed Plaintiff's claims against Defendants PCCP, Towle, BVI, and Redico. Thereafter, Plaintiff timely filed his motion for reconsideration and corresponding amendment.

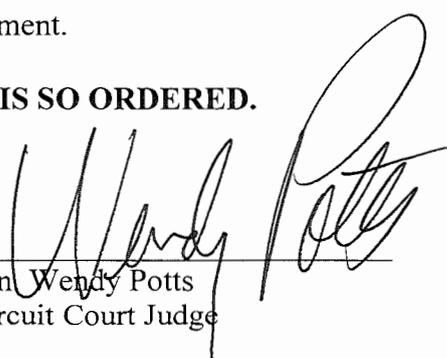
Plaintiff relies on the claims set forth in his proposed Second Amended Complaint as the primary basis for his motion for reconsideration of this Court's decision to dismiss Defendants PCCP, Towle, BVI, and Redico. The Court notes that on March 29, 2016, an Opinion and Order was entered granting Defendants' motion to strike Plaintiff's Second Amended Complaint. In support of his assertion that Defendants PCCP and Towle have ties to Michigan, Plaintiff defers to the affidavits of Ron Cousineau, Scott Foster, and Bill Wright. The Court has considered these affidavits and finds that the information provided does not establish palpable error for this Court to reconsider the February 23, 2016 Opinion and Order.

After reviewing Plaintiff's motion and amendment, it is clear that Plaintiff disagrees with the Court's prior decision. However, Plaintiff's arguments fail to 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.

Accordingly, the Court hereby denies Plaintiff's Motion to Reconsider the Order Issued on February 23, 2016 Regarding Defendants' Summary Disposition Motions and Plaintiff's Motion for Declaration as well as Plaintiff's corresponding Amendment.

IT IS SO ORDERED.

Dated: APR 15 2016


Hon. Wendy Potts
Circuit Court Judge