

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

JIGNESH N. PATEL, D.O.,

Plaintiff,

Case No. 15-148332-CB
Hon. Wendy Potts

v

JEFFREY H. DECLAIRE, M.D., P.C.,

Defendant.

OPINION AND ORDER RE: PLAINTIFF'S MOTION FOR RECONSIDERATION OF THE
COURT'S ORDER REGARDING DEFENDANT'S MOTION TO COMPEL

At a session of Court
Held in Pontiac, Michigan

On
AUG 05 2016

The matter is before the Court on Plaintiff Jignesh N. Patel's Motion for Reconsideration. On July 13, 2016, this Court issued an Order Regarding Defendant's Motion to Compel ordering that discovery shall be completed by August 1, 2016. Plaintiff now requests the Court grant his motion for reconsideration and issue an order permitting only Plaintiff to conduct further discovery. The Court dispenses with oral argument pursuant to MCR 2.119(F)(2).

MCR 2.119(F) governs Motions for Rehearing or Reconsideration. The decision whether to grant or deny reconsideration is discretionary. MCR 2.119(F)(3); *Charbeneau v Wayne County General Hosp*, 158 Mich App 730, 733 (1987). 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

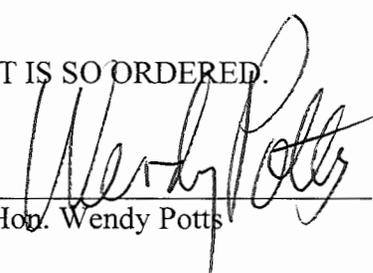
not be granted. The moving party must demonstrate a palpable error by which the court and the parties have been misled and show that a different disposition of the motion must result from correction of the error.

Patel argues that the Court erred when it ruled that both parties could take additional discovery until August 1, 2016. On July 13, 2016, the Court held oral argument on Defendant's motion to compel. At that time, the Court fully understood the issues that the parties presented regarding additional discovery. In ordering that both sides could take additional discovery until August 1, 2016, the Court advised the parties that additional discovery would be permitted so that the Court could try the case on the merits.

The Court finds that Plaintiff's motion for reconsideration merely presents the same issues that were already ruled on by this Court. Plaintiff has failed to demonstrate a palpable error and show that a different disposition of its motion must result from correction of the error. Accordingly, Plaintiff Jignesh N. Patel's motion is denied.

Dated: **AUG 05 2016**

IT IS SO ORDERED.



Hon. Wendy Potts