

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JOHN DOE,

Plaintiff,

v.

UNIVERSITY OF MICHIGAN, ET AL.,

Defendants.

Case No. 18-11776

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE
ELIZABETH A. STAFFORD

ORDER DENYING DEFENDANTS' MOTION FOR RECONSIDERATION [44]

On May 1, 2019, the Court held a phone conference at which it ordered the President of the University of Michigan to appear at an upcoming settlement conference because of his ultimate authority to resolve issues regarding the University's sexual misconduct policy. During the phone conference, the Court also denied the University's request to refer the settlement conference to a different judge within the Eastern District.

On May 6, 2019, Defendants filed a Motion for Reconsideration [44] of the Court's rulings at the May 1st phone conference.

Local Rule 7.1(h)(3), which governs motions for reconsideration, 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.

“[T]he decision to grant the motion is within the court's discretion.” *In re Greektown Holdings, LLC*, 728 F.3d 567, 574 (6th Cir. 2013).

Because Defendants have neither demonstrated a palpable defect by which the Court has been misled nor shown that correcting the defect will result in a different disposition of this case,

IT IS ORDERED that Defendants' Motion for Reconsideration [44] is **DENIED**.

IT IS FURTHER ORDERED that the President of the University of Michigan appear for a settlement conference on **Tuesday, June 11th at 11:00 AM**.¹

¹ The Court previously provided the University with three possible dates for the settlement conference, all of which were rejected because of the President's unavailability. The Court expects that the President will make himself available for the upcoming settlement conference scheduled for June 11, 2019. If, however, there is a compelling reason as to why the President is unable to appear on that date, the Court would entertain a motion to reschedule the conference for June 12th or 13th.

The University shall not resume any proceedings concerning Plaintiff's alleged conduct until after the settlement conference.

SO ORDERED.

Dated: May 8, 2019

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge