

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

SCOTTSDALE CAPITAL ADVISORS
CORPORATION,

Plaintiff,

v

MORNINGLIGHTMOUNTAIN, LLC,
MICHAEL GOODE, and DOES 1-10,

Defendants.

Circuit Court File No. 2018-0153-CZ

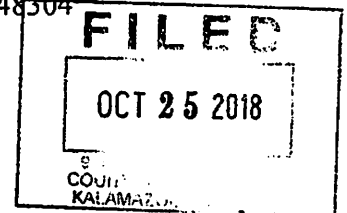
Hon. Alexander C. Lipsey

**ORDER DENYING
DEFENDANTS' MOTION FOR
RECONSIDERATION**

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At a session of Court in the City and County of
Kalamazoo, State of Michigan, on
this 25 day of October, 2018.

PRESENT: HONORABLE ALEXANDER C. LIPSEY, Circuit Court Judge

On October 4, 2018, this Court entered an Order and Opinion Denying Defendants' Motion for Summary Disposition. Pending now before this Court is Defendants' Motion for Reconsideration which was timely filed on October 25, 2018. Defendants argue that this Court committed palpable error by finding that there is no heightened pleading requirement in defamation cases, in reaching its decision about whether Plaintiff is a public or private figure, by

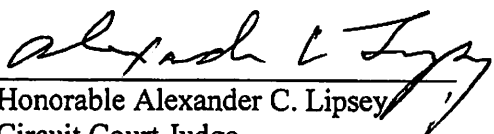
finding it could not review Defendants' exhibits, by applying the doctrine of *res ipsa loquitur*, and by holding that Statement No. 2 is false and defamatory.

Pursuant to MCR 2.119(F), a motion for rehearing or reconsideration is discretionary, and where a motion merely presents issues already ruled on by the court, either expressly or by reasonable implication, it will not be granted. MCR 2.119(F)(3). To 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." MCR 2.119(F)(3).

Having reviewed all materials relevant to Defendants' Motion for Reconsideration, this Court finds that Defendants' motion presents the same issues already ruled on by this Court. Furthermore, this Court finds that Defendants have failed to demonstrate "a palpable error by which the court and the parties have been misled." MCR 2.119(F)(3). Therefore, Defendants' Motion for Reconsideration is **DENIED**.

IT IS SO ORDERED.

Dated: October 25, 2018


Honorable Alexander C. Lipsey
Circuit Court Judge

PROOF OF MAILING

I, Kelly Dollar, certify that on
this date I mailed a copy of this document to the
parties in interest at their above stated addresses
via first-class mail
and/or
 interoffice mail.

Dated: 10-25-18

Kelly Dollar
Kelly L. Dollar
Law Clerk to the Hon. Alexander C. Lipsey