

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

Case No. 1:14-CV-258

v.

HON. ROBERT J. JONKER

JOHN DOE, subscriber assigned
IP address 71.206.111.76,

Defendant.

ORDER DENYING MOTION FOR RECONSIDERATION

On May 15, 2014, the Court entered an Order Denying Motion to Quash (docket # 13). On May 23, 2014, plaintiff filed a motion for reconsideration (docket # 14).

The Court has reviewed Plaintiff's motion for reconsideration and finds that an answer and oral argument on the motion are unnecessary. See W.D. Mich. L.Civ.R. 7.4 ("No answer to a motion for reconsideration will be allowed unless requested by the Court Any oral argument on a motion for reconsideration is reserved to the discretion of the Court.").

Plaintiff fails to carry his burden of demonstrating that his motion for reconsideration should be granted. Rule 7.4 of the Western District of Michigan's Local Rules of Civil Procedure provides: (a) Grounds - Generally, and without restricting the discretion of the Court, motions for reconsideration which merely present the same issues ruled upon by the Court shall not be granted. The movant shall not only demonstrate a palpable defect

by which the Court and the parties have been misled, but also show that a different disposition of the case must result from a correction thereof.

Plaintiff's motion simply recapitulates and incorporates the arguments in his previous filings. It does not present new issues, demonstrate a palpable defect by which the Court and parties have been misled, or demonstrate a defect that necessitates a different disposition of the case.

This is a simple copyright infringement case. Defendant apparently believes his or her reputation may suffer more by being accused of illegally downloading the particular content protected by Plaintiff's copyrights. This may or may not be true, but anonymity does not depend on how many degrees Defendant has earned, or how personally embarrassed Defendant may feel by the allegations. Defendant's basic defense, it appears, will be that he or she had nothing to do with any illegal downloading. If the defense prevails, there will be nothing of consequence beyond an unsubstantiated lawsuit.

ACCORDINGLY, IT IS ORDERED that Petitioner's Motion for Reconsideration (docket # 14) is **DENIED**.

/s/ Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE

Dated: May 27, 2014