

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

IRA ALSTON, :  
 :  
 Plaintiff, :  
 :  
 v. : CASE NO. 3:07CV473(RNC)  
 :  
 JASON CAHILL, ET AL., :  
 :  
 Defendants. :

**RULING ON MOTION FOR RECONSIDERATION**

By order dated December 5, 2008, the court denied the plaintiff's Motion to Reopen Discovery. (See doc. #122.) The plaintiff sought to reopen discovery based on the alleged inadequacy of his former attorney's discovery efforts. The court, citing cases holding that a party is bound by his attorney's conduct, held that the plaintiff had failed to demonstrate good cause for reopening discovery at this late stage. Now pending before the court is the plaintiff's Motion for Reconsideration, doc. #123. Plaintiff explains that the information he seeks to discover is pertinent information needed for litigation of his claims.

The standard for granting a motion for reconsideration under Fed. R. Civ. P. 59(e) is "strict." Shrader v. CSX Transp., Inc., 70 F.3d 255, 257 (2d Cir. 1995). "The only permissible grounds on which to grant a motion for reconsideration are: (1) an intervening change in the law; (2) the availability of new evidence not previously available; or (3) the need to correct a

clear error of law or prevent manifest injustice." Martin v. Dupont Flooring Sys., 3:01 CV 2189(SRU), 2004 U.S. Dist. LEXIS 9373, \*3 (D. Conn. May 25, 2004) (internal citations omitted).

The plaintiff has not established grounds for the court to reconsider its prior order. The motion for reconsideration is denied.

SO ORDERED at Hartford, Connecticut this 21<sup>st</sup> day of January, 2009.

\_\_\_\_\_/s/\_\_\_\_\_  
Donna F. Martinez  
United States Magistrate Judge