

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

SALLY MIDOLO,
Plaintiff,

v.

WASHINGTON MUTUAL, INC.,
Defendant.

NO. 3:08cv976 (SRU)

ORDER ON MOTION FOR RECONSIDERATION

Defendant Washington Mutual, Inc. (“Washington Mutual”) has filed a motion for reconsideration (**Doc. #15**) of my ruling on the plaintiff’s motion for remand, which I granted on July 16, 2008. For the reasons stated below, the motion is **DENIED**.

The standard for granting motions for reconsideration is a strict one, meaning they “will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked—matters, in other words, that might reasonably be expected to alter the conclusion reached by the court.” *Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995). Motions for reconsideration will not be granted where the party merely seeks to relitigate an issue that has already been decided. *Id.*

Washington Mutual cannot point to any matters that would alter this court’s conclusion. Washington Mutual removed this action to federal court based on federal question jurisdiction under 28 U.S.C. § 1331. Plaintiff Sally Midolo (“Midolo”) moved to remand this action to state court and in doing so, clarified that she is suing Washington Mutual only for violating the protections provided under Connecticut law. This action against Washington Mutual, as pursued by Midolo, does not arise under federal law and this court lacks subject matter jurisdiction to hear the claim. The fact that the plaintiff brought a separate case against Washington Mutual’s

agent under federal law has no bearing on the claims in this case.

For the foregoing reasons, Washington Mutual's motion for reconsideration (**Doc. # 15**) is **DENIED**.

It is so ordered.

Dated at Bridgeport, Connecticut, this 20th day of October 2008.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge