

DOCKET NO: HHDCV116032094S

SUPERIOR COURT

DESALLE, JAMES Et Al
V.
WAL-MART STORES, INC. Et AlJUDICIAL DISTRICT OF HARTFORD
AT HARTFORD

10/19/2016

ORDERORDER REGARDING:
10/17/2016 474.00 MOTION TO REARGUE/RECONSIDER

The foregoing, having been considered by the Court, is hereby:

ORDER: DENIED

Before the court is plaintiffs' October 17, 2016 motion to reargue and reconsider decision re: Florida seat belt defense (motion) (#474.00). Plaintiffs ask this court to reconsider its October 13, 2016 memorandum of decision regarding Florida's seat belt defense (decision) (#471.00) because the court did not expressly address plaintiffs' loss allocation argument in their September 28, 2016 supplemental memorandum (#446.00), which exclusively relies on "New York decisions applying virtually identical choice-of-law provisions" (#474.00 at 1). Simply put, prior to the issuance of the decision, the court had reviewed plaintiffs' supplemental memorandum in its entirety (noting that fact in the decision, see #471.00 at 2), reviewed the case law cited therein, and gave plaintiffs' loss allocation argument due consideration.

By relying on New York law, plaintiffs' motion does not identify any overlooked principle or authority that would have a controlling effect. Nor does the motion identify any persuasive authority that was overlooked (as the court did consider plaintiffs' cited authorities). Nor does the motion claim that the court misapprehended the facts. For the foregoing reasons, plaintiffs' motion is denied. See Practice Book § 11-12.

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Judge: INGRID L MOLL