



Goodman v. Bouzy et al

2024 | Cited 0 times | S.D. New York | February 21, 2024

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

ANALISA TORRES, District Judge: On June 28, 2023, the Court overruled Plaintiff's objections and adopted the Reports and Recommendations (the "R&Rs"), ECF Nos. 59, 203, of the Honorable James L. Cott. ECF No. 238. On July 12, 2023, Plaintiff moved for reconsideration of the Court's final order pursuant to Rule 60(b)(1), arguing that the Court committed "clear errors" and "overlooked irrefutable facts when it adopted Magistrate Judge Cott's [R&Rs]." ECF No. 251 at 1; see ECF No. 250. "Rule 60(b) provides 'a mechanism for extraordinary judicial relief [available] only if the moving party demonstrates exceptional circumstances.'" *Motorola Credit Corp. v. Uzan*, 561 F.3d 123, 126 (2d Cir. 2009) (quoting *Ruotolo v. City of New York*, 514 F.3d 184, 191 (2d Cir. 2008)). Rule 60(b)(1), specifically, allows for relief from judgment based on "mistake, inadvertence, surprise, or excusable neglect," and is "available for a district court to correct legal errors [made] by the court." *United Airlines, Inc. v. Brien*, 588 F.3d 158, 175 (2d Cir. 2009) (quoting *In re 310 Assocs.*, 346 F.3d 31, 35 (2d Cir. 2003)). A decision to grant relief pursuant to Rule 60(b)(1) is committed to the "sound discretion" of the district court. *In re Emergency Beacon Corp.*, 666 F.2d 754, 760 (2d Cir. 1981). Having reviewed Plaintiff's motion, the Court finds that he has not met the high bar required for relief pursuant to Rule 60(b)(1). Plaintiff seeks to relitigate matters that have already been adjudicated on numerous occasions by the Court and Judge Cott. Accordingly, Plaintiff's motion is DENIED and the Clerk of Court is directed to terminate the motion at ECF No. 250. SO ORDERED. Dated: February 21, 2024 New York, New York JASON GOODMAN, Plaintiff, -against-

21 Civ. 10878 (AT) (JLC)

ORDER CHRISTOPHER ELLIS BOUZY, BOT SENTINEL, INC, GEORGE WEBB SWEIGERT, DAVID GEORGE SWEIGERT, BENJAMIN WITTES, NINA JANKOWICZ, ADAM SHARP, MARGARET ESQUENET, THE ACADEMY OF TELEVISION ARTS AND SCIENCES, SETH BERLIN, MAXWELL MISHKIN, Defendants.

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