ORDERED.

Dated: April 20, 2017

Karen S. Jennemann
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION
www.flmb.uscourts.gov

In re	)	
	)	
JULIE BAKER ZALLOUM,	)	Case No. 6:13-bk-04030-KSJ
	)	Chapter 13
Debtor.	)	
	)	

ORDER DENYING DEBTOR'S MOTION FOR RECONSIDERATION

Debtor, Julie Baker Zalloum, seeks reconsideration[1] of an order granting the Motion for Relief from Stay[2] filed by the Bank of New York ("BONY"). BONY sought stay relief to proceed with a long pending and many times delayed foreclosure action in Florida state courts. Debtor opposed BONY's request both in writing[3] and at the hearing held on February 28, 2017. Given this case filed by the Debtor is dismissed,[4] the Court modified the stay, to the extent it even existed, to allow the parties to return to state court to resolve any remaining issues between them. Debtor timely filed her Motion for Reconsideration.[5] The Motion for Reconsideration is denied.

[1] Doc. No. 298.
[2] Doc. No. 283.
[3] Doc. Nos. 289, 290.
[4] Doc. No. 296.
[5] The Court entered its Order Granting Motion for Relief from Stay on March 9, 2017. Debtor moved for reconsideration on March 23, 2017.

Reconsideration of an order under Rule 59 is appropriate where there is: (1) an intervening change in controlling law; (2) newly discovered evidence; or (3) clear error or manifest injustice.[6] Reconsideration under Rule 59 "is an extraordinary remedy to be employed sparingly" due to interests in finality and conservation of judicial resources.[7] "A trial court's determination as to whether grounds exist for the granting of a Rule 59(e) motion is held to an 'abuse of discretion' standard."[8] "Far too often, litigants operate under the assumption … that any adverse ruling confers on them a license to move for reconsideration, and utilize such platform to relitigate issues that have already been decided or otherwise seek a 'do over.' Such use of Rule 59 is improper."[9]

Debtor articulates no intervening change in controlling law or any newly discovered evidence. Rather, Debtor reargues lack of standing and disagrees with the ruling allowing the parties to resolve any remaining issues between them in state court because the Debtor's bankruptcy case was dismissed. Debtor's arguments fail. She repeats arguments already raised hoping for a different result. Debtor's arguments demonstrate no clear error or manifest injustice.

The Florida state courts are better suited to resolve these foreclosure issues than the bankruptcy court, particularly because this bankruptcy case is dismissed.

Accordingly, it is **ORDERED** that the Debtor's Motion for Reconsideration (Doc. No. 298) is **DENIED.**

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The Clerk is directed to serve a copy of this order on all interested parties.

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[6] *Beepot v. JP Morgan Chase Nat'l Corp. Servs.*, 626 Fed. App'x 935, 938-39 (11th Cir. 2015). Federal Rule of Civil Procedure 59 is incorporated into the Bankruptcy Code by Federal Rule of Bankruptcy Procedure 9023.

[7] *Mathis v. United States (In re Mathis)*, 312 B.R. 912, 914 (Bankr. S.D. Fla. 2004) (quoting *Sussman v. Salem, Saxon & Nielsen, P.A.*, 153 F.R.D. 689, 694 (M.D. Fla. 1994)) (internal quotation marks omitted).

[8] *In re Mathis*, 312 B.R. at 914 (citing *Am. Home Assurance Co. v. Glenn Estess & Assocs.*, 763 F.2d 1237, 1238-39 (11th Cir. 1985) ("The decision to alter or amend judgment is committed to the sound discretion of the [trial] judge and will not be overturned on appeal absent an abuse of discretion.")).

[9] *Woide v. Federal National Mortgage Association (In re Woide)*, No. 6:16-cv-1484-Orl-37, 2017 WL 549160 at *2 (M.D. Fla. Feb. 9, 2017).