

11-0592

FILED

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA

MARK E. DAVIS
TAMMY L. DAVIS,

Plaintiffs,

2010 NOV -4 PM 4:28

CATHY S. GATSON, CLERK
KANAWHA COUNTY CIRCUIT COURT

v.

Civil Action No. 08-C-1058
Carrie Webster, Judge

MIKE RUTHERFORD,

Defendants,

ORDER
DENYING MOTION FOR RECONSIDERATION OF THE COURT'S ORDER
ENTERED SEPTEMBER 13, 2010

On October 13, 2010, came the Defendants, Rebuild America, Inc., and REO America, Incorporated, by counsel, and moved this Court for reconsideration of this Court's Order Granting Complaint, Motion to Nullify Property Sale, Motion to Set Aside Tax Deed, and Motion for Injunction to Stop Eviction, entered on September 13, 2010.

Based upon a review of the written pleadings and relevant legal authority, and after giving due consideration to the previous court ruling and reasoning thereto, the Court hereby finds that good cause does not exist to grant the Defendant's motion, to the extent that the motion seeks reversal of issues that were thoroughly considered, addressed and previously ruled upon by this Court.

Accordingly, for the reasons set forth above, the Court is of the opinion that the Defendants' motion for reconsideration should be and is hereby **DENIED**. The Court notes and preserves the Defendants' objections and exceptions to this ruling.

4

57

The Court further **DIRECTS** the Circuit Clerk to distribute certified copies of this order to counsel of record.

ENTERED this 4 day of November, 2010.



Carrie L. Webster, Circuit Judge

Date: 11-5-10
Certified copies sent to:
 counsel of record P. Hereford,
 parties G. Elmore, m. Slotnick,
 other _____ (please indicate)
By: m. Davis, T. Davis
 certified/1st class mail
 fax
 hand delivery
 interdepartmental
Other directives accomplished:
G. Jones
Deputy Circuit Clerk