

STATE OF MICHIGAN  
SIXTEENTH JUDICIAL CIRCUIT COURT

SARMAD BRIKHO,

Plaintiff,

vs.

Case No. 2014-3977-CB

SHANT SHIRINIAN, SHIRINIAN INVESTMENTS,  
LLC, VAN 8 COLLISION, INC., GARY  
CUNNINGHAM, and GARY H. CUNNINGHAM,  
P.C.

Defendants,

and

CHOICE AUTOMOTIVE GROUP, LLC, d/b/a  
Chase Automotive Leasing,

Nominal Defendant.

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OPINION AND ORDER

Plaintiff has filed a motion for reconsideration of the March 28, 2017 Opinion and Order. In the interests of judicial economy the factual and procedural statements set forth in the Court's March 28, 2017 Opinion and Order are herein incorporated.

I. Standard of Review

Motions for reconsideration must be filed within 21 days of the challenged decision. MCR 2.119(F)(1). The moving party must demonstrate a palpable error by which the Court and the parties have been misled and show that a different disposition of the motion must result from correction of the error. MCR 2.119(F)(3). A motion for reconsideration which merely presents the same issue

ruled upon by the Court, either expressly or by reasonable implication, will not be granted. *Id.* The purpose of MCR 2.119(F)(3) is to allow a trial court to immediately correct any obvious mistakes it may have made in ruling on a motion, which would otherwise be subject to correction on appeal but at a much greater expense to the parties. *Bers v Bers*, 161 Mich App 457, 462; 411 NW2d 732 (1987). The grant or denial of a motion for reconsideration is a matter within the discretion of the trial court. *Cole v Ladbroke Racing Michigan, Inc*, 241 Mich App 1, 6-7; 614 NW2d 169 (2000).

## II. Arguments and Analysis

While Plaintiff contests various holdings within the March 28, 2017 Opinion and Order, he has failed to cite the any portion(s) of the record in support of his position that there is evidence supporting his positions. A party may not merely state a position and then leave it to the Court to rationalize and discover the basis for the claim, nor may he leave it to the Court to search for authority to sustain or reject his position. *People v Mackle*, 241 Mich App 583, 604 n 4; 617 NW2d 339 (2000). Based on Plaintiff's failure to properly support his arguments, the Court is convinced that Plaintiff's motion must be denied.

## III. Conclusion

For the reasons set forth above, Plaintiff's motion for reconsideration of the Court's March 28, 2017 Opinion and Order is DENIED. In compliance with MCR 2.602(A)(3), the Court states this matter remains closed

IT IS SO ORDERED.

Date: MAY 03 2017

Kathryn A. Viviano  
Hon. Kathryn A. Viviano, Circuit Court Judge