

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

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LORI HOCK, :
 :
 Plaintiff, : MEMORANDUM DECISION
 : 3:99 CV 1281 (GLG)
 -against- :
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 :
 PAUL THIPEDEAU, :
 :
 Defendant. :
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This law suit arises out of the conduct of the defendant, Paul Thipedeau, while he was working as a Department of Correction Officer at a Connecticut correctional facility where the plaintiff, Lori Hock, was incarcerated. The plaintiff asserted both a federal constitutional and state law claim against the defendant. After a jury trial, the plaintiff was awarded no compensatory damages, but she received nominal damages and thirty thousand dollars in punitive damages for her federal constitutional claim, and no monetary damages of any kind for her state law claim. Following the trial, the defendant moved orally for dismissal of the plaintiff's federal claim; by written motion he moved to set aside the jury verdict. We denied those motions in our opinion dated October 29, 2002. See *Hock v. Thipedeau*, 238 F. Supp. 2d 446 (D. Conn. 2002). Subsequently, the defendant moved for reconsideration of that decision. Finding that the plaintiff failed to exhaust her administrative remedies pursuant

to 42 U.S.C. § 1997e(a), we granted the defendant's motion in part and dismissed the plaintiff's federal claim, thereby reversing the jury verdict in her favor. See *Hock v. Thipedeau*, ---F. Supp.2d ---, NO. 3:99-CV-1281, 2003 WL 402127 (D. Conn. Feb. 19, 2003). The plaintiff has moved now for reconsideration of our February 19, 2003 decision [**Doc. 109**]. Her motion is DENIED for the reasons set forth below.

Our standard for granting a motion for reconsideration is strict. See *Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995). "Such a motion generally will be denied unless the moving party can point to controlling decisions or data that the court overlooked--matters, in other words, that might reasonably be expected to alter the conclusion reached by the court. Thus, the function of a motion for reconsideration is to present the court with an opportunity to correct manifest errors of law or fact or to consider newly discovered evidence." *Channer v. Brooks*, No. 3:99CV2564, 2001 WL 1094964, at *1 (D. Conn. Sept. 10, 2001) (citations omitted; internal quotation marks omitted). Further, a motion for reconsideration "is not simply a second opportunity for the movant to advance arguments already rejected." *Shrader*, 70 F.3d at 257.

Here, the plaintiff has not presented this Court with any controlling decisions or data that we overlooked which might serve to

alter our prior decision of February 19, 2003; nor has she presented any new evidence to be considered. The plaintiff's motion challenges this Court's interpretation of relevant case-law precedent in conjunction with the State of Connecticut Department of Correction Administrative Directives. In other words, the plaintiff essentially seeks reversal of our February 19, 2003 judgment based on arguments already considered fully by this Court. *See generally Hock*, --- F.Supp.2d ---, 2003 WL 402127. Consequently, the plaintiff's motion for reconsideration [Doc. 109] is DENIED.

SO ORDERED.

Dated: April 28, 2003
Waterbury, CT

_____/s/_____
Gerard L. Goettel
United States District Judge