

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re: )  
 )  
 ETOYS, INC., et al., ) Case Nos. 01-0706 (MFW)  
 ) through 01-0709 (MFW)  
 Debtors. )  
  
ROBERT K. ALBER, )  
 )  
 Appellant, )  
 )  
 v. ) Civ. No. 05-830-SLR,  
 ) procedurally consolidated with  
 TRAUB, BONACQUIST & FOX LLP, ) Civ. No. 05-831-SLR  
 BARRY GOLD, MORRIS NICHOLS )  
 ARSHT & TUNNELL LLP, and )  
 POST-EFFECTIVE DATE COMMITTEE )  
 OF EBC I, INC., )  
 )  
 Appellees. )

**MEMORANDUM ORDER**

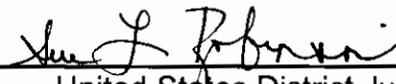
At Wilmington this 12<sup>th</sup> day of June, 2007, having reviewed the pending motions for reconsideration in the above captioned cases, as well as the papers submitted in connection therewith;

IT IS ORDERED that the motions (D.I. 56, 57) are denied for the reasons that follow:

1. The purpose of a motion for reconsideration is to “correct manifest errors

of law or fact or to present newly discovered evidence.” Max’s Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros, 176 F.3d 669, 677 (3d Cir. 1999). Accordingly, a court may alter or amend its judgment if the movant demonstrates at least one of the following: (1) a change in the controlling law; (2) availability of new evidence not available when summary judgment was granted; or (3) a need to correct a clear error of law or fact or to prevent manifest injustice. See id.

2. Appellant has failed to demonstrate any of the aforementioned grounds to warrant a reconsideration of the court’s memorandum order dated February 27, 2007.

  
United States District Judge