STATE OF MICHIGAN

COURT OF CLAIMS

SHALESH BERI,

Plaintiff,

v Case No. 25-000117-MM

MICHIGAN GAMING CONTROL BOARD, Hon. Sima G. Patel

Defendant.
_____/

ORDER DENYING PLAINTIFF'S AUGUST 28, 2025 MOTION FOR RECONSIDERATION

On August 19, 2025, the Court denied plaintiff's motion for a preliminary injunction to be removed from the Disassociated Persons List (DPL) and Responsible Gaming Database (RGD) pending the resolution of this lawsuit. Plaintiff now asks this Court to reconsider its decision. A motion for reconsideration will be denied if the requesting party "merely presents the same issues ruled on by the court." MCR 2.119(F)(3). Further, "[t]he 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." *Id*.

Plaintiff contends that the Court committed palpable error in determining that plaintiff failed to establish that he is likely to succeed on the merits of this case. The Court disagrees with this position. Even if plaintiff were correct, however, he would not be entitled to relief from this Court's order. The likelihood of success on the merits is not the only element necessary to support a request for a preliminary injunction. The Court also determined that plaintiff failed to establish

that he would suffer irreparable harm if his name was not removed from the DPL and RGD pending the resolution of this matter. Plaintiff does not challenge that finding. And the Court continues to find that removal from the DPL and RGD would only increase the harm sought to be remedied—receiving messages from casino licensees in violation of the law.

Accordingly, the Court DENIES plaintiff's motion for reconsideration. This is not a final order resolving all issues in this matter.

Date: August 29, 2025

Sima G. Patel
Judge, Court of Claims