

or errors of law.” Id. (quoting Independent Petroleum Ass’n of America v. Babbitt, 178 F.R.D. 323, 324 (D.D.C. 1998)).

The BFAA’s motion for reconsideration merely repeats an argument that the organization advanced in opposing the proposed settlement agreement in this case. Specifically, the BFAA asserts that a private right of action is still available to many class members under Section 741 of the Agricultural, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999, Pub. L. No. 105-277, 112 Stat. 2681, 2681-30 (1998). See Mot. at 4. The BFAA therefore “requests that this court would reconsider application of the provisions of Section 741” to the settlement agreement “rather than” Section 14012 of the Food, Conservation and Energy Act of 2008, Pub. L. No. 110-234, 122 Stat. 923, 1448 (2008). Id. at 1. The BFAA’s position is that “the remedy originally available under Section 741 is still available to any and all of the class members who filed claims prior to October 21, 2000.” Id. at 4.

The Court has already explained why this argument is “simply wrong.” See In re Black Farmers Discrimination Litigation, --- F. Supp. 2d ----, 2011 WL 5117058, at *25-*26 (D.D.C. Oct. 27, 2011). The BFAA offers no new arguments or any grounds for reconsidering the Court’s conclusion. Accordingly, it is

ORDERED that the BFAA’s motion for reconsideration [Dkt. No. 238] is DENIED.

SO ORDERED.

/s/ _____
PAUL L. FRIEDMAN
United States District Judge

DATE: December 13, 2011