**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE
IN AND FOR NEW CASTLE COUNTY**

UNITED DOMINION INDUSTRIES,	)	
	)	
Appellant,	)	
	)	
v.	)	C.A. No. N12A-08-010 ALR
	)	
JOSEPH UNIATOWSKI,	)	
	)	
Appellee.	)	

Submitted: August 28, 2013
Decided: November 22, 2013

**On Motion for Reargument
DENIED**

This is an appeal by United Dominion Industries ("Employer") of the July 23, 2012 decision ("Decision") of the Industrial Accident Board ("Board"). Joseph Uniatowski's ("Claimant's") filed with the Board a Petition to Determine Additional Compensation Due ("Petition"). By memorandum opinion issued August 19, 2013, the Court affirmed the decision of the Industrial Accident Board dated July 23, 2012. The Court found that substantial evidence supported the Board's determination that the insurer paid Claimant's medical expenses under a feeling of compulsion. Thus, there was an implied agreement to make payments. The Court concluded that the Board correctly determined that the Employer is liable for Claimant's medical expenses. Therefore, the Decision of the Industrial Accident Board dated July 23, 2012 was affirmed.

The Employer filed a motion for reargument of the Court's August 19, 2013 decision. Claimant opposes reargument.

The standard of review for a motion for reargument is well established. A motion for reargument will be granted only if the Court has overlooked a controlling precedent or legal principles, or the Court has misapprehended the law or facts such as would have changed the outcome of the underlying decision. A motion for reargument is not an opportunity for a party to rehash arguments already decided by the Court or to present new arguments not previously raised.

There is no assertion that the Court has overlooked a controlling precedent or legal principle or misapprehended the law or facts such as would have changed the outcome of the underlying decision.

NOW, THEREFORE, this 22nd day of November 2013, the Motion for Argument is hereby DENIED.

IT IS SO ORDERED.

Andrea L. Rocanelli
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The Honorable Andrea L. Rocanelli