

# United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 05-7111

September Term, 2005

04cv02255

Filed On: August 3, 2006 [983883]

George M. Ruppert,  
Appellant

v.

Deutsche Bank Securities, Inc. and William Mark Clark,  
Appellees

## ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

**BEFORE:** Henderson, Garland, and Brown, Circuit Judges

### J U D G M E N T

This appeal was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See Fed. R. App. P. 34(a)(2); D.C. Cir. Rule 34(j). It is

**ORDERED AND ADJUDGED** that the district court's judgment be affirmed. Judicial review of arbitral awards is "extremely limited," and the "[c]ourts thus do not sit to hear claims of factual or legal error by an arbitrator as an appellate court does in reviewing decisions of lower courts." Kanuth v. Prescott, Ball & Turbin, Inc., 949 F.2d 1175, 1178 (D.C. Cir. 1991). As the district court concluded, appellant's bare assertions of partiality on the part of the arbitrators is an insufficient basis for a federal court to overturn an arbitration award. See Al-Harbi v. Citibank, N.A., 85 F.3d 680, 683 (D.C. Cir. 1996). Nor has appellant established that the arbitrators acted in "manifest disregard of the law." LaPrade v. Kidder, Peabody & Co., Inc., 246 F.3d 702, 706 (D.C. Cir. 2001) (internal citations and quotation marks omitted). Nor is there any basis for this court to conclude that the district court abused its discretion by denying appellant's motion for reconsideration, as appellant has not substantiated his assertion that he did not possess the purportedly new evidence at the time he filed his petition to vacate the arbitration. See Messina v. Krakower, 439 F.3d 755, 759 (D.C. Cir. 2006).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after disposition of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

**Per Curiam**