

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Steven B. Silverstein v. Jeffrey A. Wolf, Jean Wolf, Kiva LLC,  
Wheatley Irrevocable Trust, Meshakai Wolf, Rapid Park Holding  
Corp., Patush, LLC, 183 West Alameda, LLC, Madison Family  
Enterprises, LLC, Joshua Rey, Evergreen Family Irrevocable Trust,  
and Foundation for Arts Culture & Education Ltd.

Silverstein · No. 22-cv-01817-PAB-NRN · Decided March 2, 2026

SUMMARY

The United States District Court for the District of Colorado denied Jeffrey Wolf's and Madison Family Enterprises, LLC's motion to modify or reconsider the portion of a preliminary injunction order providing for appointment of a receiver over Rapid Park stock. The court concluded that defendants had not shown an intervening change in law, newly unavailable evidence, clear error, or manifest injustice, and that their arguments could have been raised earlier.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Colorado                                                                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | Philip A. Brimmer                                                                                                                                                                                                                                                                                                                    |
| JURISDICTION          | United States District Court for the District of Colorado                                                                                                                                                                                                                                                                            |
| DECIDED               | March 2, 2026                                                                                                                                                                                                                                                                                                                        |
| DOCKET                | 22-cv-01817-PAB-NRN                                                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                |
| PROCEDURAL POSTURE    | Defendants Jeffrey A. Wolf and Madison Family Enterprises, LLC moved to modify the court's prior preliminary injunction order, specifically the portion finding that appointment of a receiver over Rapid Park stock was appropriate. The court treated the motion as one for reconsideration and denied it.                         |
| STANDARD OF REVIEW    | A motion for reconsideration is warranted only upon an intervening change in controlling law, newly available evidence, or the need to correct clear error or prevent manifest injustice. Reconsideration is not an appropriate vehicle to revisit issues already decided or raise arguments that could have been presented earlier. |
|                       |                                                                                                                                                                                                                                                                                                                                      |

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|---------------------------|---------------------------------------------------------------------------|
| <b>PRECEDENTIAL VALUE</b> | Unknown; federal district court order                                     |
| <b>PARTIES</b>            | Jeffrey A. Wolf, Madison Family Enterprises, LLC v. Steven B. Silverstein |

## TOPICS

[motion for reconsideration](#)
[injunctions](#)
[equitable relief](#)
[remedies](#)
[civil procedure](#)

## PRACTICE AREAS

[civil procedure](#)
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## QUESTIONS PRESENTED

1. Whether defendants' motion to modify the preliminary injunction should be treated as a motion for reconsideration.
2. Whether defendants established an intervening change in controlling law, newly available evidence, clear error, or manifest injustice warranting reconsideration of the court's determination that appointment of a receiver was appropriate.
3. Whether defendants could use reconsideration to present arguments concerning the alleged hardship from a receivership and the factors governing appointment of a receiver when those arguments could have been raised during the preliminary injunction proceedings.

## HOLDINGS

1. A motion styled as one to modify a preliminary injunction may be treated as a motion for reconsideration, and reconsideration requires an intervening change in controlling law, newly available evidence, or a need to correct clear error or prevent manifest injustice.
2. The prior decision to order appointment of a receiver in addition to a preliminary injunction was not clear error or manifestly unjust.
3. Defendants could not obtain reconsideration based on arguments concerning tax-related hardship or the factors supporting appointment of a receiver because those arguments could have been raised during the original preliminary injunction proceedings.

## KEY QUOTATIONS

*“Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice.”* (II. Analysis)

*“Motions for reconsideration are “not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.””* (II. Analysis)

## FACTUAL BACKGROUND

Silverstein sought to prevent the transfer of Rapid Park stock that Jeffrey Wolf had transferred to Madison Family Enterprises, LLC. Following an evidentiary preliminary injunction hearing, the court barred transfer of the stock and found that the circumstances warranted appointing a receiver, although no receiver had yet been appointed. Defendants argued that the receivership should be reconsidered based on Silverstein's prior position regarding alternative relief, potential tax-related hardship to Wolf, and the factors governing appointment of a receiver.

## PROCEDURAL HISTORY

Silverstein sought injunctive relief, including a preliminary injunction barring transfer of Rapid Park stock, levy of execution, or appointment of a receiver. After a preliminary injunction hearing, the court entered an order barring transfer of the stock and finding a receivership warranted, while directing the parties to propose receiver candidates. Before a receiver was appointed, Wolf and Madison moved to modify that order; the court denied the motion.

## DISPOSITION

other

## CASES CITED

- *Servants of the Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000)
- *Brumark Corp. v. Samson Resources Corp.*, 57 F.3d 941, 948 (10th Cir. 1995)
- *Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991)
- *S.E.C. v. Vescor Capital Corp.*, 599 F.3d 1189, 1194 (10th Cir. 2010)
- *PTI Grp., Inc. v. Gift Card Impressions, LLC*, 2014 WL 2865673, at \*1 (D. Kan. June 24, 2014)