

Docket No.: HHD-CV-07-4027246 : SUPERIOR COURT
WEINSTEIN, RICHARD P. : JUDICIAL DISTRICT OF
v. : HARTFORD
CHASE MANHATTAN BANK USA, N.A. : April 29, 2008

MOTION FOR SUMMARY JUDGMENT

Pursuant to Connecticut Practice Book § 17-44, et seq., Chase Bank USA, N.A., s/h/a Chase Manhattan Bank USA, N.A., ("Chase") hereby moves for summary judgment with respect to Plaintiff's Complaint dated December 13, 2006. Plaintiff's CUTPA claim fails as a matter of law as Chase's administration of gift cards is preempted by the National Bank Act. Moreover, the alleged acts giving rise to this claim took place outside of Connecticut and, therefore, exceed the geographical scope of CUTPA. Lastly, plaintiff lacks ascertainable damages necessary for standing to bring a CUTPA claim.

In support of its motion for summary judgment, Chase submits herewith an affirmation by Sal Deluca, dated April 29, 2008; an affidavit of Ted Grunberg, dated April 28, 2008; all supporting exhibits; and the Memorandum of Law in support of Chase's motion for summary judgment.

ORAL ARGUMENT REQUESTED

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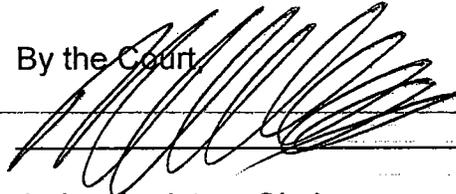
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ORDER

The foregoing MOTION FOR SUMMARY JUDGMENT having been heard
by this Court, it is hereby ORDERED:

GRANTED / DENIED this 10 day of JUNE, 2008.

By the Court



Judge/Assistant Clerk

The Plaintiff's UTPA claim
is preempted by the National
Banking Act. In applying the
of the currency implemented
has specifically regulated
state Plaintiff's state law UTPA
claim preempted over such
federal regulation.