

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA, et al.,  
Plaintiffs

v.

AMERICAN EXPRESS CO., et al.,  
Defendants

**No. 10-CV-04496 (NGG) (RER)**  
**ECF Case**

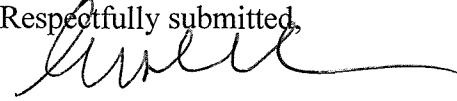
**NOTICE OF DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendants' Motion for Summary Judgment, dated September 26, 2013; Defendants' Statement of Material Undisputed Facts in Support of Their Motion for Summary Judgment, dated September 26, 2013; the Declaration of Kevin J. Orsini, dated September 26, 2013, with accompanying exhibits; and all prior pleadings and proceedings herein, Defendants American Express Company and American Express Travel Related Services Company, Inc. hereby move this Court, before the Honorable Nicholas G. Garaufis, at the United States Courthouse for the Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, 11201, for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure entering judgment in Defendants' favor on all of the Plaintiffs' claims in the above-referenced action.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is submitted herewith.

September 26, 2013

Respectfully submitted,



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VIA ECF AND ELECTRONIC MAIL

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**[PROPOSED] ORDER**

Upon consideration of the Memorandum of Law in Support of Defendants' Motion for Summary Judgment, dated September 26, 2013; Defendants' Statement of Material Undisputed Facts in Support of their Motion for Summary Judgment, dated September 26, 2013; the Declaration of Kevin J. Orsini, dated September 26, 2013, with accompanying exhibits; all the pleadings and papers filed with respect thereto; the arguments of counsel; and otherwise for good cause show, it is hereby:

ORDERED that, pursuant to Federal Rule of Civil Procedure 56, (i) Defendants' Motion for Summary Judgment is GRANTED in its entirety, and (ii) the clerk is directed to enter judgment in favor of Defendants on all of the Plaintiffs' Claims in the above-referenced action.

Dated: Brooklyn, N.Y.

\_\_\_\_\_, 2014

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Honorable Nicholas G. Garaufis  
United States District Judge