

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BLUE FLAME MEDICAL LLC

Civil Action No. 1:20-cv-00658

PLAINTIFF BLUE FLAME MEDICAL LLC'S
MOTION FOR PARTIAL SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56 and Local Rules 7 and 56 of this Court, Plaintiff Blue Flame Medical LLC (“Blue Flame”) respectfully moves the Court for entry of an Order granting partial summary judgment in its favor. Specifically, Blue Flame moves for partial summary judgment as to Defendants’ liability, but not as to Blue Flame’s damages, on its claims under Sections 4A-404(a) and 4A-204(a) of the Uniform Commercial Code, as incorporated by Federal Reserve Board Regulation J, and on its claims for tortious interference with contract and with business expectancy. Blue Flame plans to establish the amount of its damages at trial.

For the reasons set forth in the accompanying memorandum of law, there is no genuine dispute as to any material fact bearing on Defendants' liability, and Blue Flame is entitled to judgment on the liability elements of its claims as a matter of law. Accordingly, Blue Flame asks the Court to grant partial summary judgment in its favor.

This motion is based on Blue Flame's accompanying Memorandum of Law; the Affirmation of Peter H. White and the exhibits annexed thereto; all pleadings and other documents on file in this action; and on such other matters as may be presented to the Court at the time of the hearing.

Dated: May 6, 2021

Respectfully submitted,

/s/ Peter H. White

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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of May, 2021, I caused the foregoing document to be filed and served electronically using the Court's CM/ECF system, which automatically sent a notice of electronic filing to all counsel of record.

Dated: May 6, 2021

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