

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

MARGARET MURR,	)	
	)	
Plaintiff,	)	
	)	
v.	)	1:13cv1091 (LMB/TCB)
	)	
CAPITAL ONE BANK (USA), N.A.,	)	
	)	
Defendant.	)	

ORDER


For the reasons stated in the accompanying Memorandum Opinion, defendant's Motion for Summary Judgment [Dkt. No. 71] is GRANTED IN PART and DENIED IN PART, and it is hereby

ORDERED that judgment be and is entered in favor of defendant as to Count III (Breach of Contract) only to the extent plaintiff claims she was not required under the relevant contractual provisions to make any minimum monthly payment whatsoever on the Access Check balance and as to Count VI (Fair Credit Billing Act). The remainder of Count III and all other counts will go forward to trial.

The Clerk is directed to forward copies of this Order and the accompanying Memorandum Opinion to counsel of record.

Entered this 27<sup>th</sup> day of June, 2014.

Alexandria, Virginia

  
 /s/ Leonie M. Brinkema  
 United States District Judge