

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

EBONI L. WASHINGTON,

Plaintiff,

v.

NAVY FEDERAL CREDIT UNION,

Defendant.

Civil Action No. 2019 CA 005735 B
Calendar 13
Judge: John M. Campbell

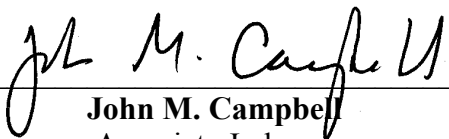
ORDER

This is before the Court on Defendant Navy Federal Credit Union's Motion to Dismiss, which is opposed by the plaintiff. Upon review of the motion, the opposition, and the record herein, the motion is **DENIED** for the following reasons.

First, the Navy Federal Credit Union Act does not preempt District of Columbia law because the Act does not govern repossession; it instead reserves that issue for state law. *See* 12 C.F.R. § 701.21(b)(1)-(2). Second, the question of whether Virginia law should be applied in this case is not dispositive to whether the case should be dismissed. The issue of any existing choice of law provision in the applicable agreement may be litigated at a future time. Finally, the plaintiff has pled sufficient facts to survive a motion to dismiss on Counts I and IV.

Accordingly, it is this 19th day of December, 2019, hereby

ORDERED, that Defendant's Motion to Dismiss is **DENIED**.



John M. Campbell
Associate Judge

Copies to:

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Via CaseFileXpress