

1 ALAN S. PETLAK (SBN 179362)
 2 petlaka@ballardspahr.com
 3 **BALLARD SPAHR LLP**
 4 2029 Century Park East, Suite 800
 Los Angeles, California 90067-2909
 Telephone: 424.204.4320
 Facsimile: 424.204.4350

Priority _____
 Send _____
 Enter _____
 Closed _____
 JS-5/JS-6
 JS-2/JS-3 _____
 Scan Only _____

5 DAVID H. PITTINSKY (SBN 91432)
 6 pittinskyd@ballardspahr.com
 7 **BALLARD SPAHR LLP**
 8 1735 Market Street, 51st Floor
 Philadelphia, Pennsylvania 19103
 Telephone: 215.665.8500
 Facsimile: 215.864.8999

9 BETH MOSKOW-SCHNOLL (SBN 2900)
 (Admitted Pro Hac Vice)
 10 moskowb@ballardspahr.com
 11 **BALLARD SPAHR LLP**
 12 919 North Market Street, 11th Floor
 Wilmington, Delaware 19801
 Telephone: 302.252.4465
 Facsimile: 302.252.4466

13
 14 Attorneys for Plaintiff Chase Bank USA, N.A.

15 UNITED STATES DISTRICT COURT
 16 CENTRAL DISTRICT OF CALIFORNIA

17 CHASE BANK USA, N.A.,
 18 Plaintiff,
 19 v.
 20 GEMMA ATIGA AGUSTINES,
 21 Defendant.

CASE NO. CV 11-3665 RGK (PJWx)
~~PROPOSED~~ JUDGMENT
 Date: Monday, March 5, 2012
 Time: 9:00 a.m.
 Courtroom: 850

22
 23 This matter came before the Court on Plaintiff's Application for Entry of
 24 Default Judgment By Court. Having considered the pleadings and accompanying
 25 declarations and memorandum submitted in support of the Application,
 26

27 IT IS HEREBY ORDERED AND ADJUDGED that:
 28

[PROPOSED] JUDGMENT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Plaintiffs' Application for Entry of Default Judgment against Defendant Gemma Atiga Agustines is GRANTED.

Pursuant to the grant of default judgment,

IT IS FURTHER HEREBY ORDERED AND ADJUDGED THAT:

1. Defendant is not entitled to arbitrate the claims contained in her Demand for Arbitration or any other claims she may have arising out of or based upon her Cardmember Agreement with Chase;

2. Chase never received a proper written notice of billing error complying with the Fair Credit Billing Act; and

3. ^{Absent proper written notice, to perform any of the actions enumerated} Chase had no obligations under the Fair Credit Billing Act ~~to take any~~ ^{§ 1666(a).} action.

Plaintiffs shall recover from Defendants costs in this action in the amount of \$ to be determined by application to the Clerk of the Court.

DATED: 03.06.2012

By: 
Honorable R. Gary Klausner
U.S. District Court Judge