

September 26, 2010

Capitalsource Finance, LLC v. Autorino, No. 3:09-CV-2148 (RNC)

Re: Motion to Dismiss (Doc. 10):

Denied. Plaintiff brings this action to enforce a judgment by confession obtained in Maryland. Defendant moves to dismiss the action on the ground that Connecticut does not permit judgments by confession. Assuming for purposes of this motion that judgments by confession do offend Connecticut public policy, the motion to dismiss must be denied because, as plaintiff correctly argues, there is no public policy exception to the requirement under Article IV, section 1 of the Constitution that Connecticut recognize the final judgment of the Maryland court. See Baker v. General Motors Corp., 522 U.S. 222, 233 (1998). Accordingly, the motion to dismiss is hereby denied. So ordered.

/s/ Robert N. Chatigny
Robert N. Chatigny, U.S.D.J.