UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

CATHERINE MULLANE,	:	
Plaintiff,	:	
	:	**No. 3:17-cv-1209 (VLB)**
v.	:	
	:	
Midland Mortgage,	:	**December 21, 2018**
Defendant.	:	
	:	
	:	
	:	
	:	

ORDER OF TRANSFER

Plaintiff Catherine Mullane brings this action against Defendant Midland Mortgage for claims regarding property in Felton, Delaware. [Dkt. 1 (Complaint), at 6]. Plaintiff is a resident of Fairfield County, Connecticut. [Dkt. 1-1 (Civil Cover Sheet)]. Defendant represents that's principal base of business is Oklahoma City, Oklahoma. [Dkt. 24 (Memo. in Support of Mot. to Dismiss), at 13]. Plaintiff alleges that on or about March 18, 2016, Defendant or its agents unlawfully entered the property and changed the locks, preventing Plaintiff from accessing the property. [Dkt. 1, ¶ 1]. Plaintiff alleges that her inability to access the property lead to a problem with mold and prevented her from arranging insurance coverage to fix the mold problem. [Dkt. 1, ¶¶ 12-38]. Defendant filed a motion to dismiss the complaint on March 6, 2018. [Dkt. 23]. The Court held a status conference on December 19, 2018. [Dkt. 66]. For the following reasons, the case will be transferred to the United States District Court for the District of Delaware.

Federal law provides that a civil action shall be brought in:

1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;
2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or
3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

28 U.S.C. § 1391(b). The District of Connecticut meets none of the statutory criteria for venue. Although Plaintiff resides in Connecticut, the property at issue is located at 193 New Castle Ave., Felton, DE 19943. All events involving the property took place in Delaware. All potential witnesses to the events detailed in the Complaint live in Delaware. Defendant has its headquarters in Oklahoma City, Oklahoma, and has no offices in Connecticut. Transferring the case to the Western District of Oklahoma would cause an undue burden to Plaintiff, a Connecticut resident, and would inhibit prosecution of the case as all likely evidence and witnesses are located in Delaware. The District of Delaware is therefore the most appropriate forum, and it is in the interest of justice to transfer the case there pursuant to 28 U.S.C. § 1404(a).

Accordingly, the Clerk is ordered to transfer this case to the United States District Court for the District of Delaware.

IT IS SO ORDERED

/s/

Hon. Vanessa L. Bryant
United States District Judge

Dated at Hartford, Connecticut: December 21, 2018