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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

2006 OCT 30 A 9:46

Civil Docket No.: 06 CA 11370-JLW
U.S. DISTRICT COURT
DISTRICT OF MASS.

Christine Varad,
Plaintiff,

v.

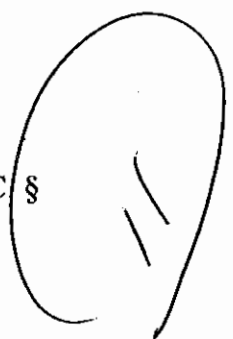
Reed Elsevier Incorporated,
d.b.a. *Lexis Nexis Corporation*,
Lexis Nexis Accurint,
Defendant.

MOTION FOR A SUMMARY JUDGMENT

Now comes the plaintiff, Christine Varad, and moves that this honorable Court to grant a summary judgment in her favor against defendant Reed Elsevier, Inc., d.b.a. *Lexis Nexis Corporation*, *Lexis Nexis Accurint*, pursuant to F.R.Civ.P. 56.

As grounds for this motion, the plaintiff states that there are no genuine issues of material fact and that she is entitled to judgment in her favor as a matter of law on the following issues:

1. In providing a report concerning the character of the Plaintiff to Gall and Gall Company, Lexis Nexis Accurint functioned as a "consumer reporting agency" as defined by 15 U.S.C. 1681a et seq.
2. As a consumer reporting agency, Lexis Nexis Accurint violated Plaintiff's statutory right to be provided with a copy of her file pursuant to 15 U.S.C. § 1681(g)(a) et seq.



3. Defendant's actions providing information to Gall and Gall Company and to F&W Publishing Company resulted in defamation and libel of the Plaintiff.
4. Lexis Nexis Accurint's actions toward the Plaintiff were unfair and deceptive under the standards set forth in M.G.L. c. 93A, § 9 and in FTC v. Sperry & Hutchinson Co., 405 U.S. 233, 244. n.5 (1972).

In support of this motion, the plaintiff submits the attached Memorandum of law.

Respectfully submitted,

Christine Varad
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