

DOCKET NO: NWHCV186003869S

SUPERIOR COURT

WALTER, CHARLES Et Al
V.
KOLOTOVA, EKATERINAHOUSING SESSION
AT NORWALK

3/19/2019

ORDERORDER REGARDING:
01/28/2019 113.00 MOTION TO STRIKE

The foregoing, having been heard by the Court, is hereby:

ORDER: DENIED

The motion to strike is denied. "A motion to strike challenges the legal sufficiency of a pleading, and, consequently, requires no factual findings by the trial court." Bernhard-Thomas Building Systems, LLC v. Dunican, 286 Conn. 548, 552 (2008). "The allegations of the pleading involved are entitled to the same favorable construction a trier would be required to give in admitting evidence under them and if the facts provable under its allegations would support a defense or a cause of action, the motion to strike must fail." Mingachos v. CBS, Inc., 196 Conn. 91, 108-109 (1985).

As plead, the Plaintiff has set forth a Security Deposit Claim and a CUTPA claim in Counts 1,3,4 and 6 and accordingly, the Motion to Strike must be denied.

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Judge: WALTER MICHAEL SPADER JR

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