

DOCKET #NNH-CV14-6049044-S : SUPERIOR COURT
: :
NUCAP INDUSTRIES INC. Et Al : J.D. OF NEW HAVEN
: :
VS. : AT NEW HAVEN
: :
PREFERRED TOOL AND DIE, INC. Et Al : SEPTEMBER 10, 2014

DEFENDANT, ROBERT A. BOSCO, JR.'S
MOTION TO DISMISS/TRANSFER FOR IMPROPER VENUE

Pursuant to Practice Book §10-30, the Defendant, Robert A. Bosco, Jr. (“Bosco,”) by and through undersigned counsel, hereby moves to Dismiss the present action due to improper venue. None of the parties reside in the Judicial District of New Haven. Further, there are no allegations that the Judicial District of New Haven is where the injury or alleged transaction occurred. Venue, therefore, is improper in the Judicial District of New Haven.

Once this Court finds that venue is improper, the proper remedy is to transfer this action to the Judicial District of Waterbury. There is currently a lawsuit captioned *Bosco v. Eyelet Tech NUCAP Corp and NUCAP Industries, Inc.*, Docket # WWY-CV-14-6023433 S, pending in the Judicial District of Waterbury. The Waterbury lawsuit involves similar factual and legal issues. In the interests of justice and judicial economy, should the Court decide transfer is appropriate, Waterbury would be the proper district to transfer the case to.

A Memorandum of Law is filed herewith in support of the Motion to Dismiss.

WHEREFORE, for the foregoing reasons and those set forth in the accompanying Memorandum of Law, the Defendant Bosco respectfully requests the Court dismiss the present action or, alternatively, transfer the present case to the Judicial District of Waterbury, which is a proper venue and such transfer is in the interest of justice and judicial economy.

THE DEFENDANT,
ROBERT A. BOSCO, Jr.

BY /s/ David A. DeBassio .
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CERTIFICATION

I hereby certify that on this 10th day of September, 2014 I mailed a copy of the foregoing

to:

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/s/ David A. DeBassio
David A. DeBassio