

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

IN RE: CAPITAL ONE CONSUMER)
DATA SECURITY BREACH LITIGATION) MDL No. 1:19md2915 (AJT/JFA)
_____)

This Document Relates to CONSUMER Cases

ORDER

Defendants Capital One Financial Corporation, Capital One Bank (USA), N.A., and Capital One, N.A. (collectively, “Capital One”) have filed a Motion in Limine to Apply Virginia Law to the Claims Asserted in Counts 1, 2, 3, 5, and 7 of the Second Amended Representative Consumer Class Action Complaint [Doc. No. 1091] (the “Motion” or “Mot.”) and Amazon has filed a Joinder in Support of Capital One’s Motion [Doc. No. 1103] (the “Joinder”). In their response, “Plaintiffs agree with Defendants’ ultimate conclusions that Virginia’s choice of law rules for tort and quasi-contract support the application of Virginia law to all Plaintiffs’ tort and quasi contract claims. Therefore, Plaintiffs do not oppose the relief sought in Capital One’s motion [] and in Amazon’s joinder [].” [Doc. No. 1105] at 1. Accordingly, it is hereby

ORDERED that Defendant Capital One’s Motion [Doc. No. 1091] and Amazon’s Joinder [Doc. No. 1103] be, and the same hereby are, **GRANTED** and Virginia law shall apply to the claims asserted in counts 1, 2, 3, 5, and 7 of the Second Amended Representative Consumer Class Action Complaint.

The Clerk is directed to docket this Order in the lead case (1:19md2915), as required per PTO-1.



Anthony J. Trenga
United States District Judge

Alexandria, Virginia
May 7, 2021