

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

JOHN A. BLAZI
and GREENWICH COFFEE, LLC

: CIVIL ACTION

Plaintiffs

VS.

JASON WAGONER, Pro Se
and NICHOLAS DEGRAZIA, Pro Se

: NO: 308CV01441 CFD

: October 20, 2008

MOTION TO DISMISS PLAINTIFFS COMPLAINT

Pursuant to UNITED STATES DISTRICT COURT rules of civil practice, the undersigned defendants JASON WAGONER, PRO SE and NICHOLAS DEGRAZIA, PRO SE hereby move to dismiss the above entitled action on the following grounds:

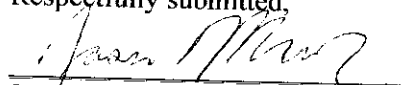
1. Plaintiffs GREENWICH COFFEE, LLC and JOHN A. BLAZI simultaneously maintains the identical action for the same relief, against defendants JASON WAGONER and NICHOLAS DEGRAZIA which is currently pending before the SUPERIOR COURT, J D OF WATERBURY, AT WATERBURY, CONNECTICUT under index number CV084015494. (annexed Exhibit A.)
2. The complaint fails to state a claim which relief can be granted.
3. The Honorable Court does not have SUBJECT MATTER JURISDICTION


WHEREFORE, defendants pray the honorable court dismiss this action in its entirety and be awarded such other and further relief as this court may deem just and proper.

**DEFENDANTS: JASON WAGONER, PRO SE
and NICHOLAS DEGRAZIA, PRO SE**

Respectfully submitted,

October 20, 2008


Jason Wagoner, Defendant Pro Se


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