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LACKAWANNA COUNTY
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PENNSYLVANIA COURT OF COMMON PLEAS

LACKAWANNA COUNTY

7 AMERICAN EXPRESS NATIONAL BANK

Case No. 26CV650

8 Plaintiff,

9 vs.

MOTION TO DISMISS COMPLAINT FILED
BY AMERICAN EXPRESS NATIONAL
BANK

10 FRANK TUFANO

11 Defendants

- 12
- 13 1. Frank Tufano did not knowingly enter a personal line of credit with American
 - 14 Express. This line of credit was for his business, and business purposes only, no
 - 15 part of the funds given to him were used for personal expenses.
 - 16
 - 17 2. The conditions of the financial credit that Frank Tufano was being offered with
 - 18 American express changed drastically, making it so he could no longer operate
 - 19 his business using the credit cards as working capital.
 - 20
 - 21 3. Because American Express lowered Frank Tufano's credit limit, therefore
 - 22 reducing his working business capital, he was no longer able to operate his
 - 23 business, therefore no longer obtaining an income, and was unable to make the
 - 24 line of credit payments.
 - 25
 - 26 4. American Express breached the terms of their agreement when they changed the
 - 27 available credit he had access to.
 - 28

