

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

CHASE MANHATTAN BANK, USA, )  
N.A., )  
 )  
Plaintiff, )

v. )

Civil Action No. 03-217-KAJ

FREEDOM CARD, INC. and URBAN )  
TELEVISION NETWORK, INC., )  
 )  
Defendants/Third )  
Party Plaintiffs, )

v. )

J.P. MORGAN CHASE & CO. and )  
JP MORGAN CHASE BANK, )  
 )  
Third Party )  
Defendants. )

**ORDER**

In accordance with the Memorandum Opinion issued today, it is hereby ORDERED that the Third Party Defendants' Motion (D.I. 329) is GRANTED to the extent that summary judgment is granted for the Third Party Defendants on the Defendants'/Third Party Plaintiffs' claims of federal and common law trademark infringement and unfair competition. The Third Party Defendants' Motion is also GRANTED to the extent that it seeks a declaratory judgment that they did not breach the 1999 Confidentiality Agreement. In all other respects, the Third Party Defendants' Motion is DENIED as moot. The Third Party Defendants' Motion to Exclude the Expert Testimony of Michael F. Maloney (D.I. 330) and the Defendants'/Third Party Plaintiffs' Motion to Consolidate and Realign the Parties for a Jury Trial on the Trademark

Infringement Claim and to Strike an Expert Opinion as Untimely (D.I. 323) are DENIED as moot. The Defendants'/Third Party Plaintiffs' s Motion to Exclude the Expert Report of Pierce Sioussat (D.I. 326) is DENIED.

Kent A. Jordan  
UNITED STATES DISTRICT JUDGE

Wilmington, Delaware  
August 26, 2004