

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

WELLS FARGO BANK, N.A.,	:	
Plaintiff,	:	
	:	
v.	:	3:05-cv-1924 (CFD)
	:	
MICHAEL KONOVER,	:	
KONOVER DEVELOPMENT CORP.,	:	
KONOVER CONSTRUCTION CORP.,	:	
KONOVER & ASSOCIATES, INC.,	:	
BLACKBOARD LLC, and RIPPLE LLC,	:	
Defendants.	:	

**RULING ON CONSENT MOTION FOR LIMITED RECONSIDERATION**

Wells Fargo Bank, N.A. (“Wells Fargo”) brought this action asserting, among other claims, that Michael Konover, Konover Development Corporation (“KDC”), Konover Construction Corporation (“KCC”), Konover & Associates, Inc. (“K&A”), Blackboard LLC, and Ripple LLC (collectively the “defendants”) wrongfully prevented Wells Fargo from collecting on a judgment entered by the Circuit Court for Baltimore, Maryland in 2005.

On March 28, 2011, this Court issued a ruling granting in part and denying in part the defendants’ motions for summary judgment as to Counts One, Two, Four, Five, Six, and Seven of the Second Amended Complaint and granting in part and denying in part the plaintiff’s motion for summary judgment as to certain of the defendants’ affirmative defenses. In that ruling, the Court granted Wells Fargo’s motion for summary judgment as to the defendants’ affirmative defenses for Counts, One, Two, Six, and Seven.<sup>1</sup> The Court, however, denied without prejudice

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<sup>1</sup> Wells Fargo’s motion for summary judgment applied to the following affirmative defenses—Five, Six, Eight, Ten, Eleven, Twelve, Thirteen, Seventeen, and Eighteen.

Wells Fargo's motion for summary judgment with respect to the defendants' affirmative defenses to Count Three because neither party had moved for summary judgment as to Count Three.<sup>2</sup>

Wells Fargo has moved for reconsideration of the Court's ruling with respect to its motion for summary judgment as to the defendants' affirmative defenses to Count Three.

In its motion for reconsideration, Wells Fargo notes that in the defendants' Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment as to the defendants' affirmative defenses (Dkt. # 730), the defendants conceded that its affirmative defenses at issue in Wells Fargo's motion for summary judgment do not apply to Count Three of the Second Amended Complaint. *Id.* at 59 n.24. The defendants do not dispute this and consent to the granting of Wells Fargo's motion for reconsideration.

Accordingly, Wells Fargo's consent motion for limited reconsideration [Dkt. #791] is GRANTED.

SO ORDERED this 21st day of September 2011, at Hartford, Connecticut.

/s/ Christopher F. Droney  
**CHRISTOPHER F. DRONEY**  
**UNITED STATES DISTRICT JUDGE**

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<sup>2</sup> The Court did not address the applicability of the defendants' affirmative defenses to Counts Four and Five because the Court granted the defendants' motions for summary judgment as to those counts.