# Federal Court Allows Vivek Shah's Core Claims Against Capital One to Proceed

## Los Angeles consumer's claims that the bank closed his account over "pending litigation" and liquidated more than 500,000 rewards points at a fraction of their alleged value survive Capital One's motion to dismiss

**Los Angeles, California Jul 26, 2026 (Issuewire.com)** - A federal judge has ruled that several claims in a lawsuit filed by Los Angeles consumer Vivek Shah against Capital One, N.A. may proceed. The ruling permits certain claims to proceed but does not determine liability or the ultimate merits of the case. In a May 7, 2026 order in *Shah v. Capital One, N.A.*, No. 2:24-cv-07528 (C.D. Cal.), U.S. District Judge Maame Ewusi-Mensah Frimpong denied Capital One's motion to dismiss with respect to Shah's Equal Credit Opportunity Act retaliation claim and several other claims, allowing those claims to continue in federal court.

According to the complaint, Capital One closed Shah's Venture X account in February 2025 while it was in good standing, allegedly citing "pending litigation" and "adverse past or present legal action." Shah further alleges that the bank liquidated more than 500,000 rewards points into a statement credit he contends was far below their value and temporarily withheld more than $32,000 in account funds before returning the balance.

In her order, Judge Frimpong found that Shah "has sufficiently pled causation" on the retaliation claim, writing that the alleged statements by Capital One's own agents plausibly link the account closure to Shah's lawsuit. The court also allowed Shah to proceed on his claims for failure to provide legally required reasons for a 2020 credit denial, breach of the Venture X cardmember agreement, breach of the implied covenant of good faith and fair dealing, conversion based on the alleged undervaluation of his rewards points, violation of California's Unfair Competition Law and declaratory relief.

"I'm pleased that the court has allowed these claims to proceed, and I look forward to presenting my case on its merits," said Vivek Shah, who is representing himself in the action.

The ECOA's anti-retaliation provision, 15 U.S.C. § 1691(a)(3), makes it unlawful for a creditor to discriminate against an applicant because the applicant has in good faith exercised rights under the statute. Discovery in the case is ongoing, and Shah has demanded a jury trial.

The litigation remains ongoing. Capital One has denied wrongdoing. The court's ruling addresses the legal sufficiency of the allegations at the pleading stage and is not a finding of liability.

The information in this release is based on publicly filed court records, including the court's May 7, 2026 order.

### About Vivek Shah

Vivek Shah is a Los Angeles-based litigant involved in consumer-protection and privacy litigation in state and federal court.

### Case Information

Shah v. Capital One, N.A., Case No. 2:24-cv-07528-MEMF-SK, United States District Court for the

Central District of California (Los Angeles).

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