

13]),³ and plaintiff's motion to remand to the Superior Court of the District of Columbia. (Emergency Response and Mot. to Remand, Nov. 20, 2013 [Dkt. No. 21].)

In his motion to remand, plaintiff argues that the federal defendants waived their rights of removal by failing to remove within thirty days of receipt of the complaint, as required under 28 U.S.C. § 1446(b)(1). (Mot. to Remand at 2.) However, "a named defendant's time to remove is . . . not [triggered] by mere receipt of the complaint unattended by any formal service." *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344, 347-48 (1999). Federal defendants proffer, and there is no evidence to the contrary, that they were never properly served in this case; accordingly, the thirty-day time limit for removal in section 1446(b)(1) had not even begun to run, let alone lapsed, by the time federal defendants removed the case. For this reason, removal was timely, and plaintiff's motion to remand will be denied.

Further, the Court will grant the Maryland defendants' motion to transfer venue pursuant to 28 U.S.C. § 1404(a). To determine whether to transfer venue, a Court must ask (1) whether the action could have originally been brought in the proposed transferee court, and, if so, (2) whether the "convenience of the parties and witnesses" and the "interest of justice" counsel in favor of transfer. *Id.* In this case, because "a substantial part of the events or omissions giving rise to the claim[s]" allegedly occurred in Baltimore and Baltimore County, Maryland, this complaint originally could have been brought in the U.S. District Court for the District of Maryland. *See* 28 U.S.C. § 1391(a); *see also* 28 U.S.C. § 1391(e).

Moreover, the Maryland defendants have carried their burden of demonstrating that the action should be transferred, notwithstanding plaintiff's initial choice of forum. The District of Columbia is not plaintiff's home forum, nor does it have any "meaningful ties to the

³ Neither the federal defendants nor Corizon, Inc., object to the transfer of venue requested by the Maryland defendants. (Mot. to Transfer Venue at 3.)

