

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGANTEAM KALAMAZOO, LLC d/b/a
THE KALAMAZOO KINGS,

Case No.

Plaintiffs,

Hon.

vs.

Lower Case No. 2011-0664-CK

FRONTIER PROFESSIONAL
BASEBALL, INC. and WILLIAM
LEE,

Defendants.

ED ANNEN, JR. (P26062)
Attorney for Plaintiffs
5902 S. Westnedge Ave., Suite 2
Portage, MI 49002
(269) 343-0802

RICHARD J. GIANINO (P32933)
Plunkett Cooney
Attorney for Defendants
535 Griswold Street, Suite 2400
Detroit, Michigan 48226
TEL: (313)983-4755
FAX: (313)983-4350
rgianino@plunkettcooney.com

SUSAN A. FINNEGAN (P70702)
Plunkett Cooney
Attorney for Defendants
950 Trade Centre Way, Suite 310
Kalamazoo, MI 49002
TEL: (269) 226-8861
FAX: (269) 382-2506
sfinnegan@plunkettcooney.com

NOTICE OF REMOVAL TO FEDERAL COURT

To: Clerk of the Court
Attorney for Plaintiffs

Defendants, Frontier Professional Baseball, Inc. and William Lee ("Defendants"),
remove this action from the Circuit Court of Kalamazoo Count to the United States District

Court for the Western District of Michigan pursuant to 28 U.S.C. §§ 1332, 1441 and 1446. In support of this Notice of Removal, Defendants state:

1. The Summons and Complaint in this action were first received by the Defendants on or about January 9, 2012. This removal is, therefore, timely under 28 U.S.C. §1446(b)(1).

2. A copy of the Summons and Complaint are attached as **Exhibit 1**. The documents attached as Exhibit 1 constitute all process, pleadings and orders received by Defendants in this action.

3. This case is removable on diversity grounds under 28 U.S.C. § 1332:

- a. Plaintiff, Team Kalamazoo, LLC is a Michigan liability company. *See*, Complaint, ¶ 1.
- b. Defendant Frontier Professional Baseball, Inc. is an Ohio corporation with its principal place business in Sauget, Illinois. Defendant William Lee also resides in Illinois.
- c. The amount in controversy exceeds \$75,000, exclusive of interest and costs. Although Plaintiff merely requested damages in excess of the state court jurisdictional amount (Complaint, ¶ 15, “... in excess of \$25,000...”), Defendants believe the Plaintiff seeks more than \$75,000, exclusive of interest and costs.

As such, the case is removable on diversity grounds pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1332.

4. The written Notice of Filing Removal will be filed promptly with the Kalamazoo County Circuit Court as required by 28 U.S.C. § 1446(d), and copies of the same have been served upon Plaintiffs' counsel as verified by the attached Proof of Service.

5. Based upon the foregoing, Defendants are entitled to remove this action to this Court under 28 U.S.C. § 1441, *et seq.*

WHEREFORE, Defendants, Frontier Professional Baseball, Inc. and William Lee, request that this Court take subject matter jurisdiction over this action, and grant any other relief the Court deems proper.

PLUNKETT COONEY

By: /s/ Susan A. Finnegan
Richard J. Gianino (P32933)
Susan A. Finnegan (P70702)
Attorneys for Defendants
TEL: (313)983-4755 / (269) 226-8861
rgianino@plunkettcooney.com
sfinnegan@plunkettcooney.com

DATED: January 31, 2012

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