

Gallo Law Office  
818 S. Casino Center Blvd.  
Las Vegas, NV 89101

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**JOIN**  
**JAMES C. GALLO, JR., ESQ.**  
Nevada Bar No. 5959  
818 S. Casino Center Boulevard  
Las Vegas, Nevada 89101  
(702) 385-3131  
(702) 385-3130 - *facsimile*  
Attorney for Defendant,  
JORDAN COOPER and  
CHERYL DRISCOLL

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

JONATHAN B. GOLDSMITH,

Plaintiff,

vs.

JORDAN COOPER, an Individual;  
CHERYL COOPER DRISCOLL, an  
Individual; FACEBOOK, INC.; a  
Foreign Corporation; Does 1 through  
5 and ROE CORPORATIONS 1  
Through 5, inclusive,

Defendants.

2:10-cv-01845-RLH-PAL  
(Clark County District Court Case No.  
A626728, Dept No. XVII

DEFENDANTS' JORDAN COOPER  
AND CHERYL DRISCOLL COOPER  
COOPER'S JOINDER TO CO-  
DEFENDANT FACEBOOK, INC'S  
PETITION FOR REMOVAL OF  
CIVIL ACTION

**DEFENDANTS' JORDAN COOPER AND CHERYL DRISCOLL COOPER  
JOINDER TO CO-DEFENDANT'S FACEBOOK, INC PETITION FOR  
REMOVAL OF CIVIL ACTION**

TO: The Clerk of the United States District Court for the District of Nevada  
COMES NOW, Defendants JORDAN COOPER and CHERYL COOPER  
DRISCOLL ("COOPER" and "DRISCOLL COOPER" or hereinafter collectively as  
"COOPERS"), by and through their counsel of record, James C. Gallo Jr., Esq.,  
hereby gives notice to join Co-Defendant FACEBOOK, INC'S Petition to remove  
this action from the Eighth Judicial District Court of Nevada to The United States

1 District Court for the District of Nevada pursuant to 28 U.S.C. § 1331, 1441, 1442,  
2 and 1446. The grounds for removal and joinder are as follows:

3 1. Plaintiff Jonathan B. Goldsmith (“Plaintiff”) brought this action in  
4 the District Court of Nevada, Clark County, entitled *Jonathan B. Goldsmith v.*  
5 *Jordan R. Cooper, Cheryl Cooper Driscoll, and Facebook, Inc.*, Case No. A-10-  
6 626728-C. (See **FACEBOOK, INC’S Petition for Removal of Civil Action**). The  
7 action was assigned to Department XVII of that Court. Defendant DRISCOLL has  
8 not been properly served. Defendant COOPER was served with the Complaint on  
9 October 11, 2010.

10 2. This is a civil action of which this Court has original jurisdiction  
11 under 28 U.S.C. § 1331, and is one which may be removed to this Court by  
12 Defendant FACEBOOK pursuant to 28 U.S.C. § 1441(b) in that it arises under  
13 provisions of 18 U.S.C. § 2511, and joined pursuant to 28 U.S.C. § 1442. (See  
14 Defendant **FACEBOOK, INC’S Petition For Removal of Civil Action**.)

15 3. Defendant FACEBOOK may remove this action to this Court  
16 pursuant to the provisions of 28 U.S.C. § 1441(b) without regard to the amount in  
17 controversy or citizen of the parties. (**Exhibit A**).

18 4. This Court may exercise supplemental jurisdiction, pursuant 28  
19 U.S.C. § 1367, over the remaining state law claims in Goldsmith’s Complaint  
20 because such claims form part of the same alleged case or controversy as the claims  
21 based upon federal law. *Id.*

22 5. This notice of removal is timely because Defendant DRISCOLL  
23 COOPER has not been properly served. Defendant COOPER is filing this Joinder to  
24 the Notice of Removal 12 days after service of the Complaint. *Id.*

25 6. There is complete joinder of defendants in this matter. *Id.*

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7. Defendants COOPERS have concurrently filed a copy of this notice with the Eighth Judicial District Court. *Id.*

9. Defendants COOPERS have served upon Plaintiff a copy of this notice. *Id.*

10. This Notice of Removal is signed pursuant to Rule 11 of the Federal Rules of Civil Procedure. *Id.*

WHEREFORE, Defendants COOPERS join FACEBOOK and pray that the above-entitled action be removed from the Eighth Judicial District Court in and for Clark County, Nevada to this Court on this date.

Dated this 22 day of October, 2010

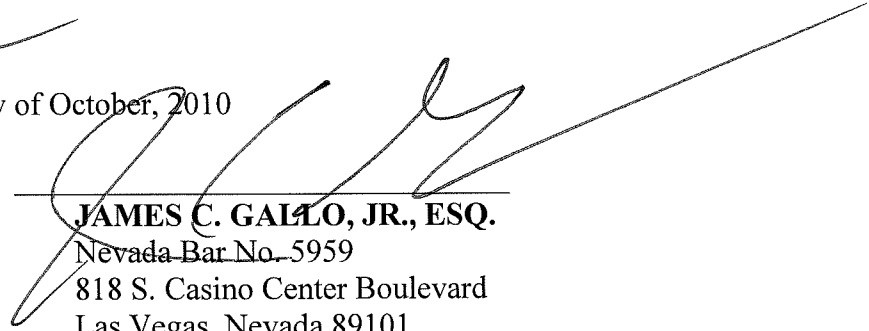
  
\_\_\_\_\_  
**JAMES C. GALLO, JR., ESQ.**  
Nevada Bar No. 5959  
818 S. Casino Center Boulevard  
Las Vegas, Nevada 89101  
(702) 385-3131  
(702) 385-3130 - *facsimile*  
Attorney for Defendant,  
JORDAN COOPER and  
CHERYL DRISCOLL

EXHIBIT A



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6. Defendants Jordan Cooper and Cheryl Cooper Driscoll agree to join in this removal. Thus, there is complete joinder of defendants in this matter.

7. Cooper's have concurrently filed a copy of this notice with the Eighth Judicial District Court.

8. The Petition for Removal of Civil Action is signed pursuant to Rule 11 of the Federal Rules of Civil Procedure.

9. Affiant cause to be served a copy of the Notice of Removal and Petition for Removal of Civil Action upon Plaintiff, by depositing it in the United States Mail, on October 22, 2010, in an envelope property addressed to:

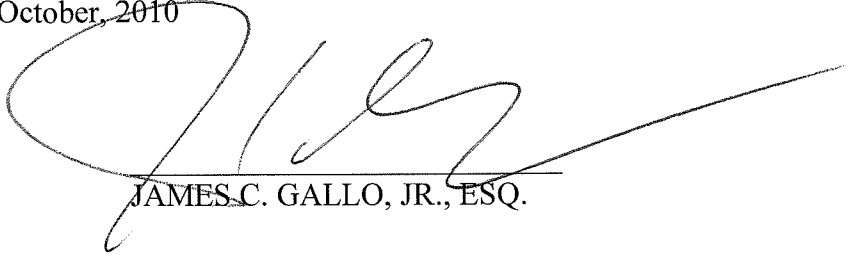
Jonathon B. Goldsmith, Esq. (11805)  
Rosenfeld & Rinato  
9029 South Pecos Road, # 2800  
Henderson, NV 89074

10. On October 22, 2010, I filed with the County Clerk of the Eighth Judicial District Court, in and for Clark County, Nevada a Joinder of Facebook's Petitions for removal of the above-mentioned action to the United States District Court, District of Nevada, together with a copy of the Petition for Removal of Civil Action and attached exhibits, by filing such copies with the Country Clerk's Office.

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Further, Affiant sayeth naught.

DATED this 22 day of October, 2010



JAMES C. GALLO, JR., ESQ.

SUBSCRIBED and SWORN to before me

This 22 day of October, 2010

Yesenia Diaz  
Notary Public in and for  
Said County and State

