

1 Stephen W. Mooney, Esq.
 Texas Bar No. 14319100
 2 Frank W. Mitchell, Esq.
 Texas Bar No. 14209500
 3 WEINBERG, WHEELER, HUDGINS,
 GUNN & DIAL, LLC
 4 6385 S. Rainbow Blvd., Suite 400
 Las Vegas, NV 89118
 5 Telephone: (702) 938-3838
 Facsimile: (702) 938-3864
 6

7 *Attorneys for Defendants*
Caesars Entertainment Corporation
 8

9 **IN THE UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF TEXAS**
 11

12 GENA M. ABRAMOV,

13 Plaintiff,

14 vs.

15 OTIS ELEVATOR COMPANY; CAESARS
 PALACE REALTY CORP. AND CAESARS
 16 ENTERTAINMENT CORPORATION f/b/a
 HARRAH'S ENTERTAINMENT, INC.,
 17

18 Defendants.

Cause No. 11-00902

I-162nd Judicial District

19 **NOTICE OF REMOVAL**

20 Comes now, Caesars Palace Realty Corp and Caesars Entertainment Corporation f/b/a
 21 Harrah's Entertainment, Inc. (hereinafter "Caesars"), with the consent of all other properly served
 22 and properly aligned Defendants herein, and file this Notice of Removal, and pursuant to 28 U.S.C.
 23 §§ 1332(a), 1441 and 1446 hereby remove the State court action described below. In support
 24 thereof, Caesars would respectfully show this Court as follows:

25 1. This action was commenced in the District Court of Dallas County, Texas, on January
 26 27, 2011. The Complaint was served on Caesars Palace Realty Corp. and Caesars Entertainment
 27 Corporation's registered agent on February 11, 2011.

28 2. The state court in which the action was filed lies within the division and district of the

1 United States District Court wherein this Notice of Removal is filed.

2 3. Plaintiff alleges that she tripped and fell when entering an elevator on Caesar's
3 property due to the elevator floor being unlevel with the floor.

4 4. Plaintiff alleges negligence and gross negligence against all Defendants.

5 5. Pursuant to 28 U.S.C. § 1446(b), this Notice of Removal is filed within thirty (30) days
6 after all Defendants' receipt through service of the Complaint setting forth the claim for relief upon
7 which this action is based.

8 6. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1332(a) and 28
9 U.S.C. § 1441.

10 7. Defendant Otis Elevator Company is incorporated in New Jersey with its principal
11 place of business in Connecticut. Otis Elevator Corporation has consented and joined in this removal.

12 8. Defendant Caesars Realty Corp. is a Delaware corporation with its principal place of
13 business in Nevada.

14 9. Defendant Caesars Entertainment Corporation f/b/a Harrah's Entertainment, Inc. is a
15 Delaware corporation with its principal place of business in Nevada.

16 10. Plaintiff Gena M. Abramov is a citizen of Texas.

17 16. This is a civil action for which this Court has original jurisdiction as diversity of
18 citizenship exists and, upon information and belief, the amount in controversy allegedly exceeds
19 seventy-five thousand dollars (\$75,000.00), inclusive of interest and costs.

20 17. At the same time that this notice of removal has been filed, defendants have filed a
21 motion to dismiss for lack of personal jurisdiction and a motion to transfer or dismiss this action under
22 28 U.S.C. 1404(a). This matter has been removed subject to these motions and without waiving
23 defendants rights as stated in these motions.

24 18. As required by 28 U.S.C. § 1446, attached hereto are copies of the following
25 documents which are all of the process, pleadings and orders heretofore served upon the Defendants in
26 this action:

27 (a) Summons and Complaint, served February 11, 2011;

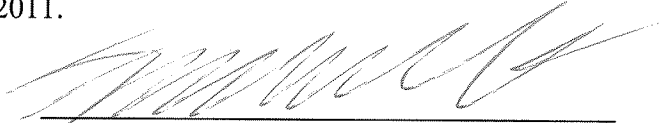
28 19. Pursuant to 28 U.S.C. § 1446, copies of this Notice of Removal are today being served

Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
6385 S. Rainbow Boulevard, Suite 400
Las Vegas, Nevada 89118
(702) 938-3838

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

upon all adverse parties and upon the Clerk of the District Court of Dallas County, Texas, for filing.

DATED this 4th day of March, 2011.



Stephen W. Mooney, Esq.
Texas Bar No. 14319100
Frank W. Mitchell, Esq.
Texas Bar No. 14209500
WEINBERG, WHEELER, HUDGINS,
GUNN & DIAL, LLC
6385 S. Rainbow Blvd., Suite 400
Las Vegas, NV 89118
Telephone: (702) 938-3838
Facsimile: (702) 938-3864

*Attorneys for Defendants
Caesars Entertainment Corporation*


Weinberg, Wheeler, Hudgins, Gunn & Dial, LLC
6385 S. Rainbow Boulevard, Suite 400
Las Vegas, Nevada 89118
(702) 938-3838

CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of March, 2011, the foregoing **NOTICE OF REMOVAL** was served on all parties or persons requesting notice via the United States District Court CM/ECF system.

Gibson McClure
Wade McClure, Esq.
Evelyn Yeager, Esq.
8080 North Central Expressway
Suite 1300, LB 50
Dallas, TX 75206-1838
Attorneys for Defendants
Otis Elevator Company

Amy K. Witherite, Esq.
Brian A. Eberstein, Esq.
Shelly T. Greco, Esq.
Zachary R. Burd, Esq.
Eberstein & Witherite, LLP
3100 Monticello, Suite 500
Dallas, TX 75205
Attorney for Plaintiff


An Employee of Weinberg, Wheeler,
Hudgins, Gunn & Dial, LLC