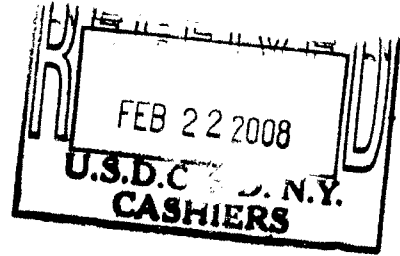


Slade R. Metcalf (SM 8360)
Jason P. Conti (JC 0581)
Laura M. Leitner (LL 4222)
Hogan & Hartson LLP
875 Third Avenue
New York, NY 10022
Telephone: (212) 918-3000
Facsimile: (212) 918-3100

*Attorneys for Defendants
Monica Levinson, Twentieth Century Fox
Film Corporation, One America
Productions, Inc., and Todd Schulman*



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
Kathie Martin,

Plaintiff,

– against –

Dan Mazer, Anthony Hines, Larry Charles,
Peter Baynham, Monica Levinson, Jay
Roach, Todd Phillips, Everyman Pictures,
Twentieth Century Fox Film Corporation,
One America Productions, Inc., Gold/Miller
Productions, Springland Films, Dune
Entertainment, LLC, MTV Networks d/b/a
Comedy Central, Dakota North
Entertainment, Inc., Four by Two
Production Company, Sacha Baron Cohen,
Todd Schulman, and John Does Nos. 1-5,

Defendants.
-----X

08 CV 1828
Case No. _____

**NOTICE OF REMOVAL OF DEFENDANTS MONICA LEVINSON,
TWENTIETH CENTURY FOX FILM CORPORATION,
ONE AMERICA PRODUCTIONS, INC., AND TODD SCHULMAN**

TO: CLERK, UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

Pursuant to 28 U.S.C. §§ 1441 and 1446, Defendants Monica Levinson (“Levinson”), Twentieth Century Fox Film Corporation (“Fox”), One America Productions, Inc. (“One America”), and Todd Schulman (“Schulman”) (collectively, “Removing Defendants”), by their undersigned counsel, hereby file this Notice of Removal of the action styled *Kathie Martin v. Dan Mazer, Anthony Hines, Larry Charles, Peter Baynham, Monica Levinson, Jay Roach, Todd Phillips, Everyman Pictures, Twentieth Century Fox Film Corporation, One America Productions, Inc., Gold/Miller Productions, Springland Films, Dune Entertainment, LLC, MTV Networks d/b/a Comedy Central, Dakota North Entertainment, Inc., Four by Two Production Company, Sacha Baron Cohen, Todd Schulman, and John Does Nos. 1-5*, Index Number 114203/07, currently pending in the Supreme Court of the State of New York, County of New York (the “State Court Action”), and state as follows:

1. Plaintiff Kathie Martin (“Plaintiff”) filed a Summons With Notice (the “Summons”) with the Supreme Court of the State of New York, County of New York, on October 22, 2007. A true and correct copy of the Summons is attached hereto as Exhibit A. Plaintiff has not filed nor served a Complaint in this action.

2. Counsel for Removing Defendants accepted service of the Summons on behalf of Fox and One America on February 11, 2008. Counsel for Removing Defendants accepted service of the Summons on behalf of Levinson and Schulman on February 18, 2008. Upon information and belief, at the time of this Notice, no other defendant has been properly served or joined in this action.

3. Levinson, at the time this action was filed and as of the date of this Notice, was and is a citizen of the State of California.

4. Fox, at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of the State of Delaware, having its principal place of business in California.

5. One America, at the time this action was filed and as of the date of this Notice, was and is a corporation incorporated under the laws of California, having its principal place of business in California.

6. Schulman, at the time this action was filed and as of the date of this Notice, was and is a citizen of the State of California.

7. Upon information and belief, and according to the Summons, at the time this action was filed and as of the date of this Notice, none of the non-Removing Defendants are New York citizens, with the exception of Dune Entertainment, LLC (“Dune”) and possibly MTV Networks d/b/a Comedy Central (“MTV”).

8. According to the Summons, Plaintiff was and is a citizen of the State of Alabama.

9. The amount in controversy in this action exceeds, exclusive of interest and costs, the sum of Seventy-Five Thousand Dollars (\$75,000.00). In the Summons, Plaintiff alleges that she is entitled to damages based on “commercial misappropriation, fraud, unjust enrichment, invasion of privacy, and intentional infliction of emotional distress”. *See* Exhibit A. Based on the causes of action contained in the Summons, Removing Defendants contend and state upon information and belief, that Plaintiff is seeking more than \$75,000 in damages, exclusive of interests and costs.

10. This court has original jurisdiction over this action pursuant to the provisions of 28 U.S.C. § 1332 because Plaintiff and Removing Defendants Levinson, Fox, One America, and Schulman, the only-served defendants in this action, and defendants Dan Mazer, Anthony Hines,

Larry Charles, Peter Baynham, Jay Roach, Todd Phillips, Everyman Pictures, Gold/Miller Productions, Springland Films, Dune, MTV, Dakota North Entertainment, Four by Two Production Company, and Sacha Baron Cohen, were at the time this action was filed and as of the date of this Notice are citizens of different states and the amount of controversy is in excess of \$75,000.00, exclusive of interests and costs.

11. This action is properly removed to the United States District Court for the Southern District of New York, pursuant to 28 U.S.C. § 1441(a), in that said District Court embraces the state court where the State Court Action was filed.

12. Removing Defendants desire to remove this action to this Court and submit this Notice, along with all other process, pleadings and orders that have been served upon it. *See* Exhibit A. Removing Defendants have not filed any appearance, answer or other pleadings in the State Court Action. Removing Defendants are not aware of any other process, pleadings, or orders filed in the State Court Action.

13. Written notice of the filing of this Notice of Removal is being given to Plaintiff. A copy of this Notice of Removal and supporting papers is being filed with the Supreme Court of the State of New York, County of New York, as required by 28 U.S.C. § 1446(d).

14. This Notice is filed with this Court within 30 days after the Removing Defendants were formally served with the Summons in this case. Removal is, therefore, timely pursuant to 28 U.S.C. § 1446(b) and *Murphy Bros., Inc. v. Michetti Pipe Stringing, Inc.*, 526 U.S. 344 (1999).

15. Removing Defendants do not waive any objections they may have to service, jurisdiction, or venue, and any other defenses or objections to this action.

WHEREFORE, Removing Defendants Monica Levinson, Twentieth Century Fox Film Corporation, One America Productions, Inc., and Todd Schulman pray that the State Court Action be removed to this Court.

Dated: February 22, 2008

Respectfully submitted,

HOGAN & HARTSON LLP

By: 

Slade R. Metcalf (SM 8360)

Jason P. Conti (JC 0581)

Laura M. Leitner (LL 4222)

HOGAN & HARTSON LLP

875 Third Avenue

New York, New York 10022

Tel. (212) 918-3000

Fac. (212) 918-3100

Attorneys for Defendants

Monica Levinson, Twentieth Century Fox

Film Corporation, One America


Productions, Inc., and Todd Schulman

CERTIFICATE OF SERVICE

I, Laura M. Leitner, hereby certify that on February 22, 2008, I caused a true and correct copy of the foregoing Civil Cover Sheet, Notice of Removal of Defendants Monica Levinson, Twentieth Century Fox Film Corporation, One American Productions, Inc., and Todd Schulman, Statement of Defendant Twentieth Century Fox Film Corporation Pursuant to Federal Rule of Civil Procedure 7.1, and Statement of Defendant One America Productions, Inc. Pursuant to Federal Rule of Civil Procedure 7.1 to be served upon:

Adam Richards, Esq.
ADAM RICHARDS LLC
40 Fulton Street, 7th Floor
New York, New York 10038
Attorneys for Plaintiff

by Federal Express.



LAURA M. LEITNER (LL 4222)