

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

THOMAS A. SIMONIAN,

Plaintiff,

v.

MAYBELLINE LLC

Defendant.

)  
)  
)  
)  
) Civil Action No. 1:10-cv-01615  
)  
) Judge Virginia M. Kendall  
)  
)

**DEFENDANT’S ALTERNATIVE MOTION TO TRANSFER  
TO THE SOUTHERN DISTRICT OF NEW YORK**

Pursuant to 28 U.S.C. § 1404(a), Defendant Maybelline LLC (“Maybelline”) hereby respectfully moves, in the alternative to its motion to dismiss, to transfer this action to the Southern District of New York. The reasons for transfer and underlying legal authority for transfer are set forth more fully in Maybelline’s accompanying memorandum of law.

Dated: April 30, 2010

Respectfully submitted,

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## CERTIFICATE OF SERVICE

I, Jeffrey M. Drake, hereby certify that on the April 30, 2010 the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification of such filing to the registered attorney(s) of record that the document is available for viewing and downloading from CM/ECF:

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