

1:11-cv-852

# EXHIBIT 2

**NO. D-1-GN-11-002588**

**RODNEY MAESTAS,**

**PLAINTIFF,**

**VS.**

**APPLE INC.,**

**DEFENDANT.**

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**IN THE DISTRICT COURT**

**353<sup>RD</sup> JUDICIAL DISTRICT**

**TRAVIS COUNTY, TEXAS**

**DEFENDANT'S NOTICE OF FILING NOTICE OF REMOVAL**

Please take notice that on September 28, 2011, Defendant Apple Inc. filed a Notice of Removal in the United States District Court for the Western District of Texas, Austin Division, for removal of this action to that United States District Court. Pursuant to 28 U.S.C. Section 1446(d), the filing of the Notice of Removal in the United States District Court, together with the filing of a copy of that Notice with this Court (attached as Exhibit 1), effects the removal of this action, and this Court may proceed no further unless the case is remanded.

Dated: September 28, 2011

Respectfully submitted,

/s/ Suzanne M. Potter-Padilla

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ATTORNEYS FOR DEFENDANT

APPLE INC.

### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing document has been forwarded to counsel of record by certified mail, return receipt requested, on this the \_\_\_st day of September 2011, addressed as follows:

Wylie E. Kumlar  
MELTON & KUMLER, L.L.P.  
2705 Bee Cave Road, Suite 220  
Austin, Texas 78746

ATTORNEY FOR PLAINTIFF

/s/ Suzanne M. Potter-Padilla

Suzanne M. Potter-Padilla