

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

Barbara Shipp, Barbara Johnson, Joanne Taylor, Lynn Parkkila, Patricia Lamont, and Gary Thompson on behalf of themselves and all others similarly situated,

Civil Action No. 05cv94 MJD
JGL

vs.

NOTICE OF REMOVAL

Messerli and Kramer, P.A., Derrick N. Weber, Jefferson C. Pappas, Jeffrey J. Cohen and Matthew R. Smith,

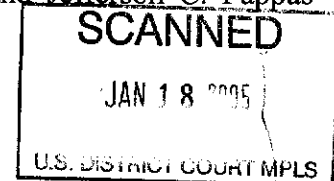
Defendants.

TO: **THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MINNESOTA**, and

PLAINTIFFS ABOVE-NAMED, and Their Attorneys, **MICHAEL PERSELLIN, ESQ.**, and **GALEN ROBINSON, ESQ.** LEGAL AID SOCIETY OF MINNEAPOLIS, 2929 Fourth Avenue South, Suite 201, Minneapolis, MN 55408 and **TIMOTHY THOMPSON, ESQ.**, 430 First Avenue North, Suite 300, Minneapolis, MN 55401-1780

PLEASE TAKE NOTICE that Defendants Messerli and Kramer, P.A., Derrick N. Weber, and Jefferson C. Pappas, hereby remove the State Court action described below to this Court pursuant to 28 U.S.C. §§ 1332 and 1441, *et seq.* and respectfully state as follows:

1. The removed action was commenced on December 21, 2004 in the Second Judicial District Court for the County of Ramsey, is entitled *Barbara Shipp, Barbara Johnson, Joanne Taylor, Lynn Parkkila, Patricia Lamont, and Gary Thompson on behalf of themselves and all others similarly situated vs. Messerli and Kramer, P.A., Derrick N. Weber, Jefferson C. Pappas, Jeffrey J. Cohen and Matthew R. Smith*, and is now pending in said Court. See Exhibit A, a true and correct copy of Class Action Complaint. No further proceedings have been had therein. Defendants Messerli and Kramer, P.A., Derrick N. Weber and Jefferson C. Pappas



received copies of the Summons and Complaint on the 21st day of December, 2004. This Notice of Removal is, therefore, timely filed within the 30-day period prescribed by 28 U.S.C. 1446(b).

2. This action may be removed from the Second Judicial District Court for the County of Ramsey, in the State of Minnesota, pursuant to 28 U.S.C. §§ 1441, 1331 (federal question jurisdiction), because the District of Minnesota is the District embracing the place where the action is pending.

3. The United States District Court for the District of Minnesota has original jurisdiction over this civil action pursuant to 28 U.S.C. § 1331, because this action constitutes a claim by Plaintiffs for violation of a federal statute, the Fair Debt Collection Practices Act, 15 U.S.C. §1692, *et seq.*

4. Contemporaneous with the filing of this Notice of Removal, Defendants are serving written notice of the filing of this Removal on Plaintiffs' counsel. A copy of the same has been filed with the Clerk of District Court of Ramsey County, Minnesota.

WHEREFORE, Defendants Messerli and Kramer, P.A., Derrick N. Weber and Jefferson C. Pappas, remove this action from the Second Judicial District Court for the County of Ramsey in the State of Minnesota, and respectfully request any further relief, general or specific, at law or in equity, to which they may be justly entitled.

BASSFORD REMELE
A Professional Association

Dated: 1/14/05

By 

Michael A. Klutho (License #186302)
Christopher R. Morris (License #230613)
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Minneapolis, Minnesota 55402
(612) 333-3000

*Attorneys for Defendants Messerli and Kramer, P.A.,
Derrick N. Weber and Jefferson C. Pappas*

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January 14, 2005

Richard D. Sletten, Clerk of Court
United States District Court
U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415

HAND DELIVERED

Re: *Barbara Shipp, et al. vs. Messerli and Kramer, P.A., et al.*
Our File No.: 5302-1

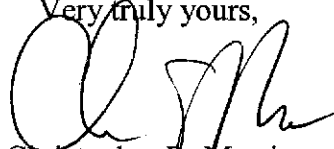
Dear Mr. Sletten:

Enclosed herewith for filing in the above matter, please find the following documents:

1. Civil Cover Sheet;
2. Notice of Removal;
3. Copy of Notice of Filing Removal;
4. Affidavit of Christopher R. Morris; and
5. Our firm check in the amount of \$150.00 for filing fee.

By copy of this letter, the above documents have been served upon all counsel of record.

Very truly yours,



Christopher R. Morris

CRM:glw
Enclosures

cc w/encl.: Michael Persellin, Esq./Galen Robinson, Esq.
Timothy Thompson, Esq.
Ramsey County District Court (**original** Notice of Removal)

RECEIVED
05 JAN 14 PM 4:55
COURT CLERK'S OFFICE