

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

COREY MACLIN,)	
)	
Plaintiff,)	
)	
v.)	Civil Case No. _____
)	Removal from the Circuit Court
WORLD WRESTLING)	of Tennessee for the Thirtieth
ENTERTAINMENT, INC.)	Judicial District at Memphis
AND VINCENT MCMAHON,)	Case No. CT-006368-07
)	
Defendants.)	

NOTICE OF REMOVAL PURSUANT TO 28 U.S.C. §§ 1331, 1332, 1441, AND 1446

TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TENNESSEE, WESTERN DIVISION AND TO ALL PARTIES:

Please take notice that Defendants, World Wrestling Entertainment, Inc. and Vincent McMahon, hereby remove this action from the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis to the United States District Court for the Western District of Tennessee, Western Division pursuant to 28 U.S.C. §§ 1331, 1332, 1441, and 1446. The removal of this action is based upon the following:

1. On or about December 31, 2007, Corey Maclin ("Plaintiff") filed his Complaint against these Defendants in the Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis, Case No. CT-006368-07, asserting tortious interference with contract, interference with business relationship, violation of § 2 of the Sherman Anti-Trust Act, and violation of the Tennessee Consumer Protection Act. A copy of the Complaint, as well as the Summons served upon each of the Defendants is attached hereto as Exhibit A.

2. A copy of the Summons and Complaint was mailed by the Tennessee Secretary of State and received by Defendant, Vincent McMahon, on January 15, 2008. A copy of the Summons and Complaint was served upon World Wrestling Entertainment, Inc.'s registered agent for service of process on January 29, 2008.

3. As more fully set out below, this case is properly removed to this Court pursuant to 28 U.S.C. §§ 1441 and 1446 in that Defendants have satisfied the procedural requirements for removal and this Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1332.

4. There is complete diversity between Plaintiff and the Defendants in this case. Plaintiff is a citizen of Tennessee residing in Shelby County, Tennessee. [Complaint, ¶ 1].

5. At the time of the commencement of this action, Defendant, World Wrestling Entertainment, Inc., was a Delaware corporation with its principal offices located in the State of Connecticut. [Complaint, ¶ 2].

6. At the time of the commencement of this action, Defendant, Vincent McMahon, was a resident of the State of Connecticut. [Complaint, ¶ 3]. While the Complaint prays for no specific damage amount, Plaintiff requests punitive damages as well as treble damages under the Tennessee Consumer Protection Act. From all of which it appears clear that the amount in controversy exceeds \$75,000.00.

7. Plaintiff also seeks relief under the Sherman Anti-Trust Act, 15 U.S.C. § 1 *et. seq.* Thus, this Court has jurisdiction pursuant to 28 U.S.C. § 1331.

8. This Notice of Removal is timely filed in that it is filed within thirty (30) days of the date of service upon Defendants.

9. The Circuit Court of Tennessee for the Thirtieth Judicial District at Memphis is located within the United States District Court for the Western District of Tennessee, Western Division. Thus, venue is proper in this Court because it is "the district and division embracing the place where the action is pending." 28 U.S.C. § 1441(a).

10. No previous application has been made for the relief requested herein.

11. Pursuant to 28 U.S.C. § 1446(a), a copy of all process, pleadings and orders served upon these Defendants, including the Summons and Complaint, are attached hereto as Exhibit A.

12. In compliance with 28 U.S.C. § 1446(a), a copy of the Notice of Removal of Action to the United States District Court for the Western District of Tennessee, Western Division, that will be filed in the Circuit Court of Tennessee, Thirtieth Judicial District at Memphis, is attached hereto as Exhibit B.

13. Defendants are serving Plaintiff with written Notice of Removal of this action.

14. Pursuant to the applicable provisions of 28 U.S.C. § 1441 and other applicable statutes, with which Defendants have complied, this cause of action is removable to the United States District Court for the Western District of Tennessee, Western Division.

Respectfully submitted,

s/Eugene J. Podesta, Jr.

Eugene J. Podesta, Jr. (#9831)
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing has been served upon Edward M. Bearman, Attorney for Plaintiff, 780 Ridge Lake Boulevard, Suite 202, Memphis, Tennessee, 38120, by this Court's electronic notice and by U.S. Mail, postage prepaid, this 30th day of January, 2008.

s/Eugene J. Podesta, Jr.