

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI AT KANSAS CITY

In Re the Matter of)	Case number (state): 1616-cv15857
NOAH WORCESTER	(Case number (federal):16-cv-1014
Plaintiff,)	Division:
V	(Judge:
COAST PROFESSIONAL INC)	
Defendant	(

I hereby certify that on this 6th day of October, 2016 I served copies of the following upon Defendant:

1. Brief "Worcester vs Coast Professional INC"
2. Plaintiff's Statement of Objections to DEFENDANT COAST PROFESSIONAL, INC.'S NOTICE OF REMOVAL
3. Plaintiff's Answer to DEFENDANT'S MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND

The documents named above were served on defendant through postal mail to the following address:
The Barton Law Group, LLC
17600 Chesterfield Airport Road, Suite 201
Chesterfield, Missouri 63005

The documents named above were simultaneously submitted to defendant via facsimile to the following number: (636) 778-9523

Respectfully Submitted,
/s/Noah Worcester

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BRIEF “Worcester vs Coast Professional INC”

Noah Worcester (“Plaintiff”), has filed a civil action against Coast Professional INC (“Defendant”), requesting compensation for Defendant’s alleged mishandling of Plaintiff’s loans.

Plaintiff filed this case as a small claims case in the 16th Circuit Court of Jackson County, Missouri. Defendant has since filed “DEFENDANT COAST PROFESSIONAL, INC.’S NOTICE OF REMOVAL” which claims that the US District Court of Western Missouri has subject matter jurisdiction in the above case as the case may involve allegations to violations of Federal Law.

Defendant has also filed “DEFENDANT COAST PROFESSIONAL, INC.’S MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND”, which seeks an additional thirty days to file an answer to Plaintiff’s initial Petition.

Plaintiff has answered “DEFENDANT COAST PROFESSIONAL, INC.’S NOTICE OF REMOVAL”, and states that the Defendant has no grounds for

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removal of the case and that the 16th Circuit Court has subject matter jurisdiction in
this case.

Plaintiff answers “DEFENDANT COAST PROFESSIONAL, INC.’S
MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE
RESPOND” by stating that time is a crucial element in this case due to Plaintiff’s
status as a student and because he is a respondent in another legal matter.

Plaintiff states that Defendant has not been timely with filings and serving
notice, for Plaintiff received Defendant’s filings my mail in a packet which was
postmarked one day before a scheduled hearing on this case.

Plaintiff is requesting that the Court order Defendant compensate Plaintiff for
his legal expenses related to the creation, filing, and research of the attached Answers
mentioned in this brief.

Respectfully Submitted,

/s/Noah Alexander Worcester
5050 Oak St. APT 325c
Kansas City, MO 64112

noahworcester@mail.umkc.edu

ATTACHED DOCUMENTS

1. Plaintiff's Objections to "DEFENDANT COAST PROFESSIONAL, INC.'S NOTICE OF REMOVAL"
2. Plaintiff's Answer to "DEFENDANT COAST PROFESSIONAL, INC.'S MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE RESPOND"
3. Party Information Sheet

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Plaintiff's Statement of Objections to DEFENDANT COAST

PROFESSIONAL, INC.'S NOTICE OF REMOVAL

Comes Now Plaintiff, Noah Alexander Worcester and for his above Objections to Defendant Coast Professional, INC.'s Notice of Removal states the following.

REMOVED ACTION

1. Coast Professional, Inc. (Defendant) is the named defendant in the Civil Action filed as a Small Claims case in the 16th Circuit Court of Missouri at Kansas City, and

PAPERS FROM REMOVED ACTION

2. Plaintiff received, by mail, Coast Professional's Motion for Removal and Notice Thereof pursuant to 28 U.S.C § 1441(a) postmarked on September 19th of 2016.

SUBJECT MATTER JURISDICTION

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3. This case had been filed by Plaintiff as a small claims case in the 16th Circuit Court of Jackson County, Missouri

a. Pursuant to Missouri Revised Statutes §482.305, the above name Court would have subject matter jurisdiction for this case.

REMOVAL IS TIMELY

4. PLAINTIFF Denies these facts. Plaintiff's Petition was Served upon Defendant on the 15th of August, 2016 by the Los Angeles County Sheriff to the CT CORPORATION SYSTEM which is the registered agent of Coast Professional INC.

a. Defendant's notice of removal was filed on the 16th of September, 2016 and notice was served to Plaintiff through mail and postmarked September 19th, 2016.

b. The above notice does not fulfill the time requirements for removal pursuant to

FEDERAL QUESTION

5. Plaintiff's initial Petition alleges that Plaintiff has suffered damages from the actions of Coast Professional and Plaintiff seeks to be compensated for these damages pursuant to Missouri State Statutes and Local Rule.

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a. Plaintiff's initial Petition made no reference whatsoever to the Fair Debt Collection Practices Act ("FDCPA") , and

b. Defendant has not submitted evidence to Plaintiff regarding Defendant's violations of the above act, and

c. Defendant has yet to answer Plaintiff's initial Petition which was served to Defendant on June 10th.

WITNESSES CALLED

6. In addition to the above, Plaintiff states that he intends to call witnesses to testify, and that

a. Said witnesses live in Jackson County and can travel to the 16th Circuit Courthouse, however

b. Said witnesses may not as easily be able to travel to the District Courthouse of Western Missouri.

WHEREFORE,

Based on the above and forbearing statements, Plaintiff requests the following of the Court.

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1. That the Court find the 16th Circuit Court of Jackson County, Missouri at Kansas City to be the appropriate venue for this case, and that this case be remanded to said court.
2. That the Court order Defendant pay Plaintiff a total of \$846.00 to cover Plaintiff's legal expenses related to the research, creation and filing of his Answers as well as the cost of time and effort caused by Defendant's removal of this case from the appropriate venue.
3. That the Court grant Plaintiff the requests set forth in Plaintiff's initial petition which have not been answered by Defendant.
4. Any other and further relief that the court deems just and proper.

Respectfully Submitted,

/s/Noah Alexander Worcester

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PLAINTIFF'S ANSWER TO DEFENDANT'S MOTION FOR EXTENSION OF TIME TO
ANSWER OR OTHERWISE RESPOND

Noah Worcester ("Plaintiff") states the following to answer Defendant's Motion for Extension of Time To Answer Or Otherwise Respond.

1. Denial of Facts: Plaintiff has not alleged that Defendant Has Violated the Fair Debt Collection Practices Act, 15 USC §1692, et seq. ("FDCPA")
2. Denial of Facts: Defendant was served with Plaintiff's state court petition on August 15, 2016.
3. Denial of Facts: Plaintiff did not receive notice of Defendant's removal of this case until he received a packet in the mail postmarked September 19th, 2016.
4. Plaintiff understands Defendant's request and states that,
5. Defendant filed these documents on the 16th of September and Plaintiff received said documents through postal mail on or around the 19th of September, 2016.
6. Granting an extension of time in this case would prejudice Plaintiff because
 - a. Plaintiff is currently a student, and the amount in controversy effects his tuition and has severe time based repercussions, and
 - b. Plaintiff is currently a Pro Se Respondent in a Paternity Action and "Worcester v Coast Professional" is a matter of controversy in the aforesaid Paternity Action.

- c. Because of the above and forbearing, granting Defendant's Motion for increased time would prejudice Plaintiff in this case.
- d. Defendant has not answered the initial Petition of Plaintiff as required of Defendant pursuant to Fed. R. Civ. P. Rule §81(c).

WHEREFORE, Plaintiff Noah Worcester respectfully requests that

- A. The Court does not Grant Defendant's Motion for Extension of Time to File an Answer or Otherwise Respond.
- B. Any other relief the Court deems just and proper

Respectfully Submitted,

s/Noah Worcester

Noah Worcester

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