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

1. 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

1. This case had been filed by Plaintiff as a small claims case in the 16th Circuit Court of Jackson County, Missouri
2. Pursuant to Missouri Revised Statutes §482.305, the above name Court would have subject matter jurisdiction for this case.

REMOVAL IS TIMELY

1. 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.
2. 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.
3. 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.

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.

THEREFORE,

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

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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