

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JENNA RIES, on behalf of herself and all
similarly situated,

Case No. _____
District Judge _____
Magistrate Judge _____

Plaintiffs,

v.

McDONALD'S USA, LLC, McDONALD'S
CORPORATION, and MLMLM CORP.,
d/b/a MCDONALD'S

**NOTICE OF REMOVAL
TO THE UNITED STATES
DISTRICT COURT FOR
THE WESTERN DISTRICT
OF MICHIGAN,
SOUTHERN DIVISION**

Removed from:
Ingham County Circuit Court
Case No.: 19-829-CD
Hon. James S. Jamo

**NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

PLEASE TAKE NOTICE that Defendant, MLMLM Corporation d/b/a McDonald's, by its undersigned counsel, hereby removed this action entitled *Jenna Ries, on behalf of herself and all similarly situated v. MLMLM Corporation, et al.*, Case No.: 19-829-CD, in the 30th Circuit Court for the County of Ingham, Michigan to the United States District Court for the Western District of Michigan, Southern Division and in support thereof files this notice of removal for the following reasons:

1. Plaintiff Jenna Ries commenced this civil action against Defendants in the 30th Circuit Court in Ingham County entitled *Jenna Ries, on behalf of herself and*

all those similarly situated v. McDonald's USA, LLC, McDonald's Corporation, and MLMLM Corporation d/b/a McDonald', Case No.: 19-829-CD, assigned to the Honorable James S. Jamo.

2. Defendant MLMLM Corporation was served on December 11, 2019 by hand delivery as well as by certified mail on December 13, 2019 with the attached Summons and Complaint (Exhibit A).

3. McDonald's USA, LLC and McDonald's Corporation joined as Defendants in this action concur in removal of this action and have provided written concurrence to this Notice of Removal pursuant to 28 U.S.C. §1446(a)(2)(A). (Exhibit B).

4. This Notice of Removal is being filed within 30 days after the receipt by Defendant of Plaintiff's Complaint as required by 28 U.S.C. §1446(b) and is timely.

5. This Court has jurisdiction over this case based on federal question jurisdiction pursuant to 28 U.S.C. §1331.

6. This Court has supplemental jurisdiction over the state law claims in the case pursuant to 28 U.S.C. §1367(a).

7. For her federal law claim, Plaintiff alleges a violation of Title VII, as amended, 42 USC §2000e, et seq., a federal statute.

8. For her state law claim, Plaintiff alleges a violation of the Michigan Elliott Larsen Civil Rights Act.

9. Plaintiff also includes a request for equitable and declaratory judgment, injunctive relief, punitive damages, and attorney fees that are premised on the law underlying both her federal and her state law claims.

10. Plaintiff's state law claims arise from the same common nucleus of operative facts and are so intertwined with and related to Plaintiff's federal claim that they form part of the same case or controversy as those federal claims, over which this Court has original jurisdiction.

11. Venue is proper pursuant to 28 U.S.C. §1301 because Ingham County, Michigan, is contained within the Western District of Michigan, Southern Division.

12. All the prerequisites have been met for this civil action to be removed to this Court by Defendant pursuant to 28 U.S.C. §1441 (a) and (b).

13. Defendant MLMLM Corporation will give written notice of the filing of this notice of removal to all adverse parties and will file a copy of the notice of removal with the Circuit Court for the County of Ingham, as required by 28 U.S.C. §1446(d)(Exhibit C).

Because there is federal question jurisdiction, and all applicable requirements of 28 U.S.C. §1441(c) have been met, the Action is properly removed to this Court. Defendant MLMLM Corporation files this notice of removal and removes this action

to the United States District Court for the Western District of Michigan, Southern Division. Plaintiff is notified to proceed no further in state court unless or until the case is remanded by order of said United States District Court.

Respectfully submitted,

Lipson Neilson P.C.

By: /s/ C. Thomas Ludden

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Dated: January 2, 2020

CERTIFICATE OF SERVICE

I hereby certify that on January 2, 2020, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record. I further certify that this day I mailed the foregoing document via first-class mail to the following counsel:

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Dated: January 2, 2020

/s/ Amy Zielinski

Amy Zielinski