

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BURGAN EXPRESS FOR GENERAL
RADING AND CONTRACTING CO.,**

and

**MAHMOUD MOHAMMAD ABBAS
HAJIA KHAJAH,**

Case No. 2:12-CV-041

Plaintiffs,

-VS-

Judge
Magistrate Judge

MARK ANTHONY ATWOOD,

and

**WOLFPACK SECURITY SERVICES,
INC.,**

Defendants.

NOTICE OF REMOVAL OF DEFENDANTS
MARK ATWOOD AND WOLFPACK SECURITY SERVICES

In accordance with 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Mark Anthony Atwood and Wolfpack Security Services, Inc. (“Defendants”) file this Notice of Removal of Case No. 11 OOS 000011 from the Court of Common Pleas of Ross County to the United States District Court for the Southern District of Ohio, Eastern Division. In support of its Notice of Removal, Defendants state:

1. On or about December 20, 2011, Defendants were served with Plaintiffs’ Complaint. Plaintiffs’ initiated their action against Defendants in the Ross County Court of Common Pleas, Case No. 11 OOS 000011. A copy of the Complaint is attached hereto as Exhibit A.

2. This Notice of Removal is being filed within 30 days of the filing of Plaintiffs' Complaint as required by 28 U.S.C. § 1446(b).

3. Exhibit A represents all process, pleadings, and orders served upon or by Defendants to date.

4. Defendant Mark Anthony Atwood is an Ohio resident, domiciled in Ross County, Ohio.

5. Defendant Wolfpack Security Services, Inc. is a now-inactive Ohio corporation, formerly registered with the state from July 16, 2003 through January 4, 2007.

6. Plaintiff Mahmoud Mohammad Abbas Hajia Khajah, upon information and belief, is a Kuwaiti citizen.

7. Plaintiff Burgan Express for General Trading and Contracting Co., upon information and belief, is a company with its principal place of business in Kuwait.

8. The amount in controversy is in excess of \$75,000, exclusive of interest and costs, as demonstrated by Plaintiffs' Complaint, which seeks enforcement of a foreign money judgment in the amount of 5,610,362.154 Kuwaiti Dinars, as well as 30 Kuwait Dinars in attorneys fees. *See* Exhibit A. Taken together, and converted to U.S. Dollars, Plaintiffs seek to enforce a \$20,283,412.39 judgment against Defendants. *Id.*

9. Based on Plaintiffs' Kuwaiti citizenship, and Defendants' U.S. and Ohio citizenship, there is complete diversity between the parties. See 28 U.S.C. §1332(a)(2) and §1332(c)(1).

10. This Court thus has original diversity jurisdiction over this action pursuant to 28 U.S.C. §1332. Because the Parties are citizens of different nations, and the amount in

controversy is in excess of \$75,000.00, exclusive of interest and costs, this action may be removed to this Court pursuant to 28 U.S.C. §1441.

11. As required under 28 U.S.C. § 1446(d), Defendants will notify Plaintiffs in writing of the filing of this Notice of Removal.

12. Defendants will promptly file a true and correct copy of this Notice of Removal with the Clerk of the Ross County Court of Common Pleas, as provided by law.

13. This Notice of Removal has been signed below by counsel for Defendants pursuant to Rule 11 of the Federal Rules of Civil Procedure.

WHEREFORE, Defendants Mark Anthony Atwood and Wolfpack Security Services, Inc. respectfully request that the above-entitled action now pending in the Ross County Court of Common Pleas be removed to this Court.

Respectfully submitted,

CARLILE PATCHEN & MURPHY LLP

By: /s/ H. Ritchey Hollenbaugh
H. Ritchey Hollenbaugh (0001072)
hhollenbaugh@cpmlaw.com

366 East Broad Street
Columbus, Ohio 43215
Tele: (614) 228-6135
Fax: (614) 221-0216

*Attorneys for Defendants, Mark Anthony
Atwood and Wolfpack Security Services*