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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SEATTLE POLICE OFFICERS' GUILD and
SEATTLE POLICE MANAGEMENT
ASSOCIATION,

Plaintiffs,

vs.

CITY OF SEATTLE, a municipal corporation,
and MERRICK BOBB, Monitor of the
Agreement Between the City and the United
States of America,

Defendants.

No.

**NOTICE OF REMOVAL TO FEDERAL
DISTRICT COURT**

KING COUNTY SUPERIOR COURT
CAUSE NO. 13-2-07779-5SEA

TO: Clerk of the above-entitled court; and

**TO: Seattle Police Officers' Guild, Plaintiff above named, and its counsel, Hillary McClure;
and**

**TO: Seattle Police Management Association, Plaintiff above named, and its counsel, Mark
McCarty; and**

TO: Defendant Merrick Bobb.

Defendant City of Seattle hereby provides notice of the removal of this action from the
Superior Court of the State of Washington for King County to the United States District Court for

1 the Western District of Washington at Seattle, pursuant to 28 U.S.C. §§ 1331, 1367, 1441 and 1446.

2 The grounds for removal are as follows:

3 1. This action was filed in the Superior Court of the State of Washington for King
4 County, Cause No. 13-2-07779-5SEA, on March 11, 2013.

5 2. On March 11, 2013, plaintiffs served the City of Seattle with the Summons,
6 Complaint for Declaratory and Injunctive Relief, Case Information Cover Sheet, Order Setting
7 Civil Case Schedule and Certificate of Service.

8 4. This Notice of Removal has been filed within thirty (30) days of notice to the
9 defendants of the action and is therefore timely. 28 U.S.C. § 1446(b).

10 5. Plaintiffs' Complaint alleges that the Defendant Merrick Bobb, an agent of the
11 United States District Court, has advanced a monitoring plan that violates the Washington Public
12 Employee Collective Bargaining Act, RCW 41.56. The plan has been developed, submitted, and
13 approved by U.S. District Judge James L. Robart in *United States v. City of Seattle*, Case No. 12-
14 CV-1282, now pending in the Western District of Washington. The federal case arises under the
15 Violent Crime Control and Law Enforcement Act, 28 U.S.C. § 14141 and the Fourth Amendment.

16 6. The Court has jurisdiction over this case as a matter of federal subject matter
17 jurisdiction pursuant to 28 U.S.C. § 1331, under the All Writs Act, 28 U.S.C. § 1651, and
18 supplemental jurisdiction pursuant to 28 U.S.C. § 1367. This action is therefore a proper one for
19 removal to United States District Court pursuant to 28 U.S.C. § 1441(b). In addition, because
20 Defendant Bobb is sued for acting under the color of his office with the United States District
21 Court, removal is proper under 28 U.S.C. § 1442(a)(3)

22 7. This Court is the appropriate court for removal under 28 U.S.C § 1441(a) because
23 Case No. 12-CV-1282 is currently pending in this court and division.

1 8. Written notice of the filing of this Notice of Removal will be served on counsel
2 for plaintiffs, and filed with the Clerk of the Superior Court of the State of Washington for King
3 County, as required by 28 U.S.C. § 1446(d).

4 9. The City of Seattle has communicated with Defendant Bobb. Mr. Bobb has not
5 properly been served with process. He has nevertheless indicated that he joins in the removal.

6 10. A true and correct copy of the Complaint served upon the City of Seattle is
7 attached hereto, as required by Local Civil Rule 101(b).

8 11. Intradistrict Assignment: Pursuant to Local Rule 101, the City of Seattle notes
9 that it is removing this case to the Western District of Washington, Seattle Division because the
10 related action, Case No. 12-CV-1282, is currently pending in the Seattle division. Moreover, the
11 plaintiff unions and the Defendant City of Seattle are both located in the Seattle division.

12 DATED this 18th day of March, 2013.

13 PETER S. HOLMES
14 Seattle City Attorney

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