

From: [Kathleen Gallagher](#)
To: ["mhaverstick@kleinbard.com"](mailto:mhaverstick@kleinbard.com)
Subject: LWV v. Wolf et al./Notice of Removal
Date: Thursday, November 16, 2017 12:39:36 PM

Matt:

As you are aware, I represent the Speaker in the above referenced litigation. In the Notice of Removal which you recently filed in the Eastern District, you aver that the Speaker affirmatively consented to the filing of the Notice. That averment is false. The only potential grounds for removal which were ever brought to my attention via Attorneys Torchinsky and Paszaman were a possible removal pursuant to 28 U.S.C. §1443, which, as you are aware, does not require consent of all Defendants prior to removal. The Speaker had no objection to your proceeding in that manner on behalf of Senator Scarnati specifically because Section 1443 does not require consent. Removal pursuant to Section 1441, however, was never discussed and no consent was given to you or anyone else.

Accordingly, please file an amended Notice of Removal to correct your false statement prior to the hearing before Judge Baylson which is scheduled for today at 2:00 PM.

I anticipate your prompt cooperation in this regard.

Best regards,

KATHLEEN GALLAGHER | ATTORNEY

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