

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

WALTER EBBERT, an individual,

Plaintiff,

Case No.. 3:23-cv-13532

vs.

OCEAN CITY WRIGHT FIRE
CONTROL DISTRICT,

Defendant.

/

REMOVAL

Defendant, OCEAN CITY WRIGHT FIRE CONTROL DISTRICT (“Defendant”), files this Notice of Removal of the above-styled cause pursuant to 28 U.S.C. §§ 1441 and 1446 from the Circuit Court of the First Judicial Circuit in and for Okaloosa County, Florida, to the United States District Court, Northern District of Florida, and in support of removal states the following:

1. Written notice of the filing of this Notice of Removal on this date has been given to Plaintiff, WALTER EBBERT, through his attorney, Marie A. Mattox, Esq., Marie A. Mattox, P.A., 203 North Gadsden Street, Tallahassee, FL 32301.
2. A copy of this Notice of Removal has, on this date, been filed with the Clerk of the Circuit Court of the First Judicial Circuit in and for Okaloosa County, Florida, where this action was originally filed.
3. A copy of all papers served on the Defendant in this matter, including the Amended Complaint, are attached as Composite Exhibit “A.”
4. Plaintiff filed this action in State Court as Case No.: 2023-CA-000505 in the First Judicial Circuit in and for Okaloosa County, Florida.

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5. The instant suit is one in which this the United States District Court has original jurisdiction under the Americans with Disabilities Act of 1990, 42 U.S.C. § 12101, *et seq.* (“ADA”). The Amended Complaint states causes of action under the ADA and the Florida Civil Rights Act of 1992.

6. This Notice of Removal was filed within thirty days of the date of formal service of process of the Summons and Amended Complaint upon Defendant. Defendant was served on May 9, 2023.

7. The undersigned certifies that Defendant consents to the removal of this action from the Circuit Court of the First Judicial Circuit in and for Okaloosa County, Florida, to the United States District Court, Northern District of Florida.

Dated this 9th day of June, 2022.

s/ Andrew M. Gordon

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