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FILED

MAY 30 2013

Clerk, U.S. District Court
District Of Montana
Billings

Attorneys for Defendant Google RCPT# MTX1008683

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

DAVID STEVEN BRAUN,

Plaintiff,

-vs-

GOOGLE

Defendant.

Cause No. CJ-13-40-BU-SEH-CSO

**DEFENDANT GOOGLE'S NOTICE
OF REMOVAL**

Defendant Google alleges as follows:

1. The action captioned *David Steven Braun v. Google*, DV 16-2013-000287-CR, was filed in the Montana Eighteenth Judicial District

Court, Gallatin County, on or about April 29, 2013.

2. The Summons and Complaint were served upon Google on April 30, 2013.
3. Plaintiff David Steven Braun is a resident of Big Sky, Montana and a resident and citizen of Montana.
4. Defendant Google is a corporation organized and existing under and by virtue of the laws of the State of Delaware, with a principal place of business in Mountain View, California. As such, Google is a citizen and resident of California.
5. This is a civil action of which this Court has original jurisdiction under 28 USC §1332(a) (diversity), and is one which may be removed to this Court by Defendant Google pursuant to the provisions of 28 USC §1441 in that this is a civil action between citizens of different states, and the matter in controversy, exclusive of interest and costs, exceeds the sum or value of \$75,000.
6. Venue is proper pursuant to 28 USC §1391 because the claim occurred in Gallatin County, the State of Montana.
7. Plaintiff seeks compensation in the amount of 500,000 shares of Google stock, or the monetary equivalent. The monetary value of 500,000

shares of Google stock, exclusive of interest and costs, exceeds \$75,000.

8. Copies of the Summons and Complaint filed in the Montana District Court action are not attached hereto. The entire file is under seal by Order of the State District Court. Leave to provide the file to the federal court under seal will be sought.
9. Notice to the State Court Clerk of Filing of this Notice of Removal has been provided to the state district court concurrently, and this Notice has been delivered to Plaintiff by U.S. mail.
10. Defendant Google has paid a filing fee of \$400.00 to the clerk of this Court.

WHEREFORE, Defendant Google respectfully gives notice, and respectfully prays, that the above-entitled action now pending against it in the Eighteenth Judicial District Court, State of Montana, be removed to this Court and pray further that this Honorable Court issue all necessary orders and process and grant such other and further relief as in law and justice that the parties may be entitled to receive.

DATED this 30th day of May, 2013.

Paul J. Lopach
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SHEEHY LAW FIRM

By


MARTHA SHEEHY

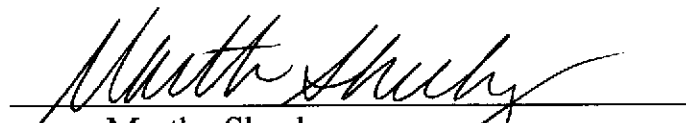
P. O. Box 584
Billings, Montana 59103-0584

Attorneys for Defendant Google

CERTIFICATE OF SERVICE

This is to certify that on the 30 day of May, 2013, a copy of the foregoing was served by depositing a true and correct copy in the United States mail, postage prepaid, first class, addressed to:

David Steven Braun
P.O. Box 161490
Big Sky, MT 59716-1490


Martha Sheehy