

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION

FILED

TIMOTHY J. PAGLIARA,)
)
Plaintiff,)
)
v.)
)
FEDERAL HOME LOAN MORTGAGE)
CORPORATION,)
8200 Jones Branch Drive)
McLean, Virginia 22102,)
)
Defendant.)

2016 MAR 25 P 12:08

CLEARING HOUSE COURT
ALEXANDRIA, VIRGINIA

Civil Action No.: 1:16-cv-337
(JCC/JFA)

Removed from the Circuit Court of
Fairfax County, Virginia,
Case No. CL-2014-0003296

**FEDERAL HOME LOAN MORTGAGE CORPORATION'S
NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that the Federal Home Loan Mortgage Corporation ("Freddie Mac"), named as defendant in the action styled *Pagliara v. Federal Home Loan Mortgage Corporation*, Case No. CL 2016-03860, currently pending in the Circuit Court of Fairfax County (the "State Court Action"), hereby removes the State Court Action pursuant to 28 U.S.C. §1446 and 12 U.S.C. §1452(f) (which, *inter alia*, incorporates by reference 28 U.S.C. § 1442) and states as follows:

1. Freddie Mac was served with a copy of a Complaint for Inspection of Corporate Records filed by counsel for Mr. Pagliara in the State Court Action on or about March 18, 2016 (hereafter "the Complaint") seeking an order to permit the immediate inspection and copying of certain records maintained by Freddie Mac and an award of costs, including reasonable attorneys' fees, incurred to obtain the inspection. The Complaint is appended hereto as Exhibit A.

2. Freddie Mac is a corporate entity created by the United States of America, organized and existing under the terms of the Emergency Home Finance Act of 1970, Pub. L.

No. 91-351, 12 U.S.C. §§ 1451-1459, as amended by the Financial Institutions, Reform, Recovery and Enforcement Act, Pub. L. No. 101-73, s. 731, 103 Stat. 183 (1989), with its principal place of business in McLean, Virginia. *See* 12 U.S.C. §1451, *et seq.*

3. In Section 1452(f) of Freddie Mac's Charter, Congress granted Freddie Mac the right to remove "any civil or other action, case or controversy in a court of a State, or in any court other than a district court of the United States, to which [Freddie Mac] is a party," provided that Freddie Mac remove the action "before the trial" to the federal district court "embracing the place where the [action] is pending." *Id.* § 1452(f)(3).

4. Freddie Mac is a party to the State Court Action and trial of the State Court Action has yet to take place. Accordingly, removal is timely and proper pursuant to 12 U.S.C. § 1452(f)(3).

5. The United States District Court for the Eastern District of Virginia, Alexandria Division is the Federal District and Division embracing the Circuit Court of Fairfax County, Virginia, where this action was originally filed. *See* 28 U.S.C. § 127(a) (noting that the Eastern Division includes the Fairfax County).

6. Pursuant to 28 U.S.C. § 1446(d), concurrently with the filing of this Notice of Removal, Freddie Mac is filing a Notice of Filing Notice of Removal in the State Court Action to all known parties and the Clerk of the Circuit Court of Fairfax County in the form appended hereto as Exhibit B.

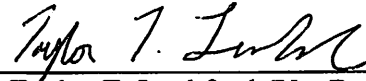
7. Attached as Exhibit C is a copy of the docket in the State Court Action, and attached as Exhibit D is a copy of each process, pleading, and order served in the State Court Action. *See* 28 U.S.C. § 1446(a).

8. This Notice of Removal is signed pursuant to Federal Rule of Civil Procedure 11, as required by 28 U.S.C. § 1446(a).

Accordingly, Freddie Mac has complied with all applicable terms of 28 U.S.C. § 1446 and 12 U.S.C. § 1452(f) and is entitled to the removal of the State Court Action to this Court.

Respectfully submitted,

Dated: March 25, 2016

By: 

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**pro hac vice* admission to be sought

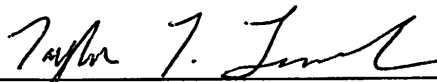
*Counsel for Defendant Federal Home Loan
Mortgage Corporation*

CERTIFICATE OF SERVICE

I certify that on March 25, 2016, a true and accurate copy of the forgoing Notice of Removal was sent by U.S. mail and e-mail to the following counsel of record in this action:

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