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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE

REBECCA ALEXANDER,

Plaintiffs,

v.

NORTHWEST TRUSTEE SERVICES, INC., a
Washington Corporation; U.S. BANK
NATIONAL ASSOCIATION, as Trustee for
Harborview Mortgage Loan Trust 2005-12,
Mortgage Loan Pass-Through Certificates,
Series 2005-12; JOHN DOE BENEFICIARY
INVESTORS 1 – 100; NATIONSTAR
MORTGAGE LLC,

Defendants.

NO.

NOTICE OF REMOVAL
UNDER 28 U.S.C. § 1441

King County Superior Court
Cause No. 16-2-03239-7 KNT
(Consolidated with King County Superior
Court Cause No. 16-2-09739-1 KNT)

**TO: THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON:**

Defendants Nationstar Mortgage LLC and U.S. Bank National Association, as Trustee
for Harborview Mortgage Loan Trust 2005-12, Mortgage Loan Pass-Through Certificates,
Series 2005-12 (collectively “Defendants”), hereby give notice of the removal of the above-

104034/000011/01430979-1
NATIONSTAR AND U.S. BANK’S
NOTICE OF REMOVAL- 1
CASE NO.:

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 PIKE STREET, SUITE 1560
SEATTLE, WASHINGTON 98101
PHONE: 206/492-2300

1 entitled action from the Superior Court of the State of Washington for King County to the
2 United States District Court for the Western District of Washington at Seattle. Defendants
3 remove this action pursuant to 28 U.S.C. §1441(a) and (c) and 28 U.S.C. §1446(b)(3) on the
4 grounds set forth below.

5 1. Defendant Nationstar Mortgage LLC (“Nationstar”) is a limited liability
6 company organized and existing under the laws of the State of Delaware with its principal
7 place of business and main office in Coppell, Texas.

8 2. Defendant U.S. Bank National Association, as Trustee for Harborview
9 Mortgage Loan Trust 2005-12, Mortgage Loan Pass-Through Certificates, Series 2005-12
10 (“U.S. Bank”) is a national banking association, with its headquarters and principal place of
11 business in Cincinnati, Ohio.

12 3. Defendant Northwest Trustee Services, Inc. (“NWTS”) is a Washington
13 corporation organized and existing under the laws of the State of Washington with its
14 principal place of business and main office in Bellevue, Washington.

15 4. Upon information and belief, Plaintiff Rebecca Alexander is a resident of
16 King County, Washington.

17 5. On February 10, 2016, plaintiff filed her first Complaint, asserting only state
18 law claims attempting to invalidate U.S. Bank’s Deed of Trust, and a summons was issued.
19 The case was given King County Superior Court Cause No. 16-2-03239-7 KNT
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1 6. According to the Declarations of Service filed by Plaintiff, Nationstar was
2 served on February 12, 2016. There have been no Declarations of Service filed for U.S.
3 Bank or John Doe Beneficiary Investors 1 – 100.

4 7. On April 25, 2016, plaintiff filed her second Complaint, asserting federal
5 claims only pursuant to the FDCPA relating to collection efforts made on U.S. Bank's
6 allegedly extinguished Deed of Trust, and a summons was issued. The case was given King
7 County Superior Court Cause No. 16-2-09739-1 KNT.

8 8. According to the Declarations of Service filed by Plaintiff, Northwest Trustee
9 Services, Inc. was served on April 29, 2016. There have been no Declarations of Service
10 filed for U.S. Bank, John Doe Beneficiary Investors 1 – 100, or Nationstar.

11 9. On May 18, the King County Superior Court ordered that the above two cases
12 be consolidated into one action with the lead case number being Case No. 16-2-03239-7
13 KNT.

14 10. Pursuant to 28 U.S.C. §1446(a), a copy of the Complaint in Case No. 16-2-
15 03239-7 KNT is attached as Exhibit A to this Notice of Removal, and a copy of the
16 Complaint in Case No. 16-2-09739-1 KNT is attached as Exhibit B to this Notice of
17 Removal.
18

19 11. Defendant Nationstar learned of the first state court action on or about
20 February 12, 2016. Defendant Nationstar learned of the second state court action asserting
21 only federal FDCPA claims on or about April 28, 2016. This Notice of Removal is timely as
22

1 it is being filed within 30 days of receipt by Nationstar of a copy of the initial pleading setting
2 forth the federal FDCPA claim for relief. *See* 28 U.S.C. §1446(b)(3).

3 12. This Court possesses jurisdiction of this case under 28 U.S.C. §1331 because
4 Plaintiff's complaint filed April 25, 2016, asserts claims under the FDCPA (15 U.S.C. § 1692
5 *et seq.*).

6 13. Removal is proper to the United States District Court for the Western District
7 of Washington at Seattle because it is the District Court for the district and division embracing
8 the place where the state court action is pending, and accordingly is the appropriate court for
9 removal pursuant to 28 U.S.C. §1441.

10 14. Pursuant to 28 U.S.C. §1446, Defendants will promptly give written notice to
11 plaintiff of the filing of this Notice of Removal.

12 15. Defendants will promptly file a copy of this Notice of Removal with the Clerk
13 of the Superior Court of the State of Washington for King County.

14 16. By inclusion of its counsel's signature below, Nationstar and U.S. Bank have
15 confirmed consent to removal of this action to U.S. District Court from Defendant Northwest
16 Trustee Services as required by 28 U.S.C. §1446(b)(2)(a).

17 WHEREFORE, Defendants give notice that the action against them in the Superior
18 Court of the State of Washington for King County has been removed to the United States
19 District Court for the Western District of Washington.
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24 104034/000011/01430979-1
25 NATIONSTAR AND U.S. BANK'S
NOTICE OF REMOVAL- 4
CASE NO.:

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP
701 PIKE STREET, SUITE 1560
SEATTLE, WASHINGTON 98101
PHONE: 206/492-2300

1 DATED this 25th day of May, 2016.

2 /s Adam G. Hughes

3 Adam G. Hughes, WSBA # 34438

4 AFRCT, LLP

5 701 Pike Street, Suite 1560

6 Seattle, WA 98101

7 Phone: (206) 492-2300

8 Email: ahughes@afrc.com

9 *Attorneys for Defendants Nationstar Mortgage LLC
10 and U.S. Bank National Association, as Trustee for
11 Harborview Mortgage Loan Trust 2005-12, Mortgage
12 Loan Pass-Through Certificates, Series 2005-12*

13 **CONSENT TO REMOVAL CONFIRMED**

14 DATED this 25th day of May, 2016.

15 **RCO LEGAL, P.S.**

16 /s/ Joshua Schaer

17 Joshua Schaer, WSBA # 31491

18 13555 SE 36th St., Suite 300

19 Bellevue, WA 98006

20 Phone: (425) 458-2121

21 Email: jschaer@rcolegal.com

22 *Attorneys for Defendant Northwest Trustee Services,
23 Inc.*

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25 NATIONSTAR AND U.S. BANK'S
NOTICE OF REMOVAL- 5
CASE NO.:

ANGLIN FLEWELLING RASMUSSEN
CAMPBELL & TRYTTEN LLP

701 PIKE STREET, SUITE 1560
SEATTLE, WASHINGTON 98101
PHONE: 206/492-2300

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of May, 2016, I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Western District of Washington using the CM/ECF system, which will send notification of such filing to the following:

Scott E. Stafne [] By United States Mail
STAFNE LAW FIRM [] By Legal Messenger
239 Olympic Avenue [] By Email
Arlington, WA 98223 scott@stafnelawfirm.com
Attorneys for Plaintiffs [X] By CM/ECF System

Joshua Schaer [] By United States Mail
RCO LEGAL, P.S. [] By Legal Messenger
13555 SE 36th Street, Suite 300 [] By Email
Bellevue, WA 98006 jschaer@rcolegal.com
Attorneys for Defendant Northwest Trustee [X] By CM/ECF System
Services, Inc.

Signed this 25th day of May, 2016 at Seattle, Washington.

/s/Kay Spading
Kay Spading, Legal Assistant
AFRCT, LLP
701 Pike Street, Suite 1560
Seattle, WA 98101

104034/000011/01430979-1
NATIONSTAR AND U.S. BANK'S
NOTICE OF REMOVAL- 6
CASE NO.:

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