

DISTRICT COURT, COUNTY OF DENVER STATE OF COLORADO  1437 Bannock Street Denver, CO 80202	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p>
<b>Plaintiff:</b>  KENNETH RASCON, on behalf of himself and all others similarly situated  v.  <b>Defendants:</b>  FEDEX GROUND PACKAGE SYSTEM, INC. and FEDEX HOME DELIVERY, a division of FedEx Ground Package System, Inc.	
Steven M. Kelso, # 29099 Jessica G. Simbalenko, # 37287 Wheeler Trigg Kennedy LLP 1801 California Street, Suite 3600 Denver, Colorado 80202 (303) 244-1800 (303) 244-1879 Facsimile kelso@wtklaw.com simbalenko@wtklaw.com	
<b>NOTICE OF FILING OF NOTICE OF REMOVAL</b>	

PLEASE TAKE NOTICE that the above-captioned case has been removed to the United States District Court for the District of Colorado. A copy of the Notice of Removal filed with the United States District Court is attached.

In accordance with 28 U.S.C. § 1446(d), the filing of the Notice of Removal effects the removal of this action and, in accordance with that statute, this Court may proceed no further unless and until the case is remanded.

Dated: September 29, 2008

s/ Steven M. Kelso \_\_\_\_\_  
Steven M. Kelso, # 29099  
Jessica G. Simbalenko, # 37287

Attorneys for Defendants  
FedEx Ground Package System, Inc.  
and its division FedEx Home Delivery

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of September, 2008, a true and correct copy of the foregoing was served via method indicated below, addressed to:

Ronald L. Wilcox John F. Walsh Hill & Robbins, P.C. Denver, CO 80202	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Delivery <input checked="" type="checkbox"/> LexisNexis File & Serve <input type="checkbox"/> E-Mail
Philip J. Gordon Kristen M. Hurley Gordon Law Group, LLP 585 Boylston Street Boston, MA 02116	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Overnight Delivery <input type="checkbox"/> LexisNexis File & Serve <input type="checkbox"/> E-Mail

s/ Steven M. Kelso by Patricia Chavez