

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ROBERT MELTZER,

Plaintiff,

JOHNSON, J.

Docket No.:

PETITION FOR REMOVAL

-against-

MANN, M.J.

WORLD NIGHT CLUB, WORLD WRESTLING
FEDERATION ENTERTAINMENT, INC.,

CV 02 3869

Defendant.
-----X

To: Mark Segal, Esq.
Segal & Lax
Attorneys for Plaintiff, Robert Meltzer
501 5th Avenue, Suite 2004
New York, New York 10017

Defendants World Night Club and World Wrestling Federation Entertainment, Inc., n/k/a
World Wrestling Entertainment, Inc., by and through their attorneys Melito & Adolfsen P.C.
respectfully state:

1. The defendants are named in an action filed in the Supreme Court of the State of
New York, Kings County, bearing index number 21483/02, and entitled Robert Meltzer v. World
Night Club, et al.

2. The Summons and Complaint were served upon defendant World Night Club on
or about June 7, 2002, and upon defendant World Wrestling Federation Entertainment, Inc., n/k/a
World Wrestling Entertainment, Inc., on or about June 13, 2002.

3. According to the Verified Complaint, plaintiff is a resident of New York State.
Defendant World Night Club is a fictitious name, is not a legal entity and therefore resides in no
state. Defendant World Wrestling Federation Entertainment, Inc., n/k/a World Wrestling

Entertainment, Inc. is incorporated in the State of Delaware and its principal place of business is in the State of Connecticut.

4. This action may be removed to this Court pursuant 28 U.S.C. Section 1332, because there is diversity of citizenship between the parties and the amount in controversy is claimed to be in excess of \$75,000.

5. Pursuant to 28 U.S.C. Section 1446(a), copies of all pleadings served upon defendants are attached hereto as Exhibit "A."

WHEREFORE, defendants request that the action described in Paragraph "1" filed against it in the Supreme Court, State of New York, Kings County, be removed from there to this Court.

Dated: New York, New York
July 3, 2002

Melito & Adolfsen P.C.

By:



Ale M. Kyzhik (AR 8618)

Jeffrey W. Padilla (JP 1242)

Attorney for Defendants

233 Broadway

New York, New York 10279-0118

(212) 238-8900


CERTIFICATE OF SERVICE

I certify that the within Petition for Removal was served upon plaintiff's counsel within the time prescribed by the rules of the Court by First Class mail.

Dated: July 3, 2002

Melito & Adolfsen P.C.

By:


Abe M. Rychik (AR 8618)
Jeffrey W. Padilla (JP 1242)
Attorney for Defendants
233 Broadway
New York, New York 10279-0118
(212) 238-8900

TO: Mark Segal, Esq.
Segal & Lax
Attorneys for Plaintiff Robert Meltzer
501 5th Avenue, Suite 2004
New York, New York 10017

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
ROBERT MELTZER

Plaintiff,

-against-

WORLD NIGHT CLUB, WORLD WRESTLING
FEDERATION *ENTERTAINMENT, INC.*
Defendant.

-----X

Index No.:

Date Purchased: 21483/02
MAY 31 2002

SUMMONS

Plaintiff designates County as
the place of Trial.

The basis of venue is:
Residence of a Party

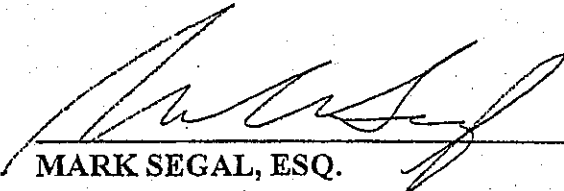
Plaintiff resides at:
2240 National Drive
Brooklyn, New York 11234

County of Kings

To the above named Defendants:

You are hereby summoned to Answer the Complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a Notice of Appearance on the Plaintiff's attorneys within twenty days after the service of this Summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or Answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: NEW YORK, NY
May 28th, 2002


MARK SEGAL, ESQ.
SEGAL & LAX
Attorneys for Plaintiff
ROBERT MELTZER
501 5th Avenue Suite 2004
New York, NY 10017
(212) 922-0891

Our File No. 01-1984

TO: WORLD WRESTLING FEDERATION
1241 East Main Street
Stanford, CT. 06902

WORLD NIGHT CLUB
1501 Broadway -2nd floor
New York, N.Y.10036

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X
ROBERT MELTZER

Plaintiff,

-against-

WORLD NIGHT CLUB, WORLD WRESTLING
FEDERATION *ENTERTAINMENT, INC.*
Defendant.

Index No.:
Date Purchased:

21483/02
MAY 31 2002

VERIFIED
COMPLAINT

-----X
Plaintiff by his attorneys, SEGAL & LAX complaining of the Defendants, respectfully
alleges, upon information and belief:

1. That at all times herein mentioned, the Plaintiff was, and still is a resident of the
County of Kings, State of New York.

2. That at all times herein mentioned, the Defendant WORLD WRESTLING
FEDERATION was and still is a domestic corporation, duly organized and existing under and by
virtue of the laws of the State of New York.

3. That at all times herein mentioned, the Defendant WORLD WRESTLING
FEDERATION was and still is a foreign corporation duly authorized to do business in the State of
New York.

4. That at all times herein mentioned, the Defendant WORLD WRESTLING
FEDERATION, maintained a principal place of business in the County of Fairfield, State of
Connecticut.

5. That at all times herein mentioned, the Defendant **WORLD NIGHT CLUB** was and still is a domestic corporation duly organized and existing under and by virtue of the laws of the State of New York.

6. That at all times herein mentioned, the Defendant **WORLD NIGHT CLUB** was and still is a foreign corporation duly authorized to do business in the State of New York.

7. That at all times herein mentioned, the Defendant, **WORLD NIGHT CLUB** maintained a principal place of business in the County of New York, State of New York.

8. That at all times herein mentioned, the Defendant, **WORLD WRESTLING FEDERATION** owned the premises and appurtenances and fixtures thereto, located at World Night Club located at 43rd Street and Broadway, in the County of New York, in the State of New York.

9. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD WRESTLING FEDERATION** managed the aforesaid premises.

10. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD WRESTLING FEDERATION** controlled the aforesaid premises.

11. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD WRESTLING FEDERATION** maintained the aforesaid premises.

12. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD WRESTLING FEDERATION** repaired the aforesaid premises.

13. That at all times herein mentioned, the Defendant, **WORLD NIGHT CLUB** owned the premises and appurtenances and fixtures thereto, located at World Night Club located at 43rd Street and Broadway, in the County of New York, in the State of New York.

14. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD NIGHT CLUB** managed the aforesaid premises.

15. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD NIGHT CLUB** controlled the aforesaid premises.

16. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD NIGHT CLUB** maintained the aforesaid premises.

17. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD NIGHT CLUB** repaired the aforesaid premises.

18. On December 29, 2000 Plaintiff **ROBERT MELTZER** was lawfully on the aforesaid premises.

19. On December 29, 2000, while Plaintiff **ROBERT MELTZER** was lawfully about the aforesaid premises he was caused to be physically assaulted, battered, intimidated and sustain serious and permanent injuries.

20. The above mentioned occurrence, and the results thereof, were caused by the joint, several and concurrent negligence of the Defendants and/or said Defendants' agents, servants, employees and/or licensees in the ownership, operation, management, supervision, maintenance and control of the aforesaid premises.

21. That no negligence on the part of the Plaintiff contributed to the occurrence alleged herein in any manner whatsoever.

22. That by reason of the foregoing, Plaintiff **ROBERT MELTZER** was caused to sustain serious injuries and to have suffered pain, shock and mental anguish; that these injuries and their effects will be permanent; and as a result of said injuries Plaintiff has been caused to incur, and will continue to incur, expenses for medical care and attention; and, as a further result, Plaintiff was, and will continue to be, rendered unable to perform Plaintiff's normal activities and duties and has sustained a resultant loss therefrom.

23. That as a result of the foregoing, Plaintiff was damaged in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS.

WHEREFORE, Plaintiff ROBERT MELTZER demands judgment against the Defendants in the sum of FIVE MILLION (\$5,000,000.00) DOLLARS, together with the costs and disbursements of this action.

Dated: New York, NY
May 28, 2002

Yours, etc.


MARK SEGAL, ESQ.

SEGAL & LAX

Attorneys for Plaintiff

ROBERT MELTZER

501 5th Avenue Suite 2004

New York, NY 10017

(212) 922-0891

Our File No. 01-1984

ATTORNEY'S VERIFICATION

MARK SEGAL, ESQ., an attorney duly admitted to practice before the Courts of the State of New York, affirms the following to be true under the penalties of perjury:

I am an attorney at SEGAL & LAX, attorneys of record for Plaintiff,

ROBERT MELTZER. I have read the annexed

COMPLAINT

and know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged upon information and belief, and as to those matters I believe them to be true. My belief, as to those matters therein not stated upon knowledge, is based upon facts, records, and other pertinent information contained in my files.

The reason this verification is made by me and not Plaintiff is that Plaintiff is not presently in the county wherein the attorneys for the Plaintiff maintain their offices.

DATED: New York, NY
May 28, 2002



MARK SEGAL, ESQ.

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ROBERT MELTZER

Plaintiff,

-against-

WORLD NIGHT CLUB, WORLD WRESTLING FEDERATION
Defendant.

SUMMONS AND VERIFIED COMPLAINT

SEGAL & LAX
Attorneys for Plaintiff
ROBERT MELTZER
501 5th Avenue Suite 2004
New York NY 10017
(212)922-0891

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200206100

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ROBERT MELTZER

Plaintiff,

-against-

AF
WORLD NIGHT CLUB, WORLD WRESTLING
FEDERATION

Defendant.

DVB

Index No.: 21483
Date Purchased: MAY 31 2002

SUMMONS

Plaintiff designates County as
the place of Trial.

The basis of venue is:
Residence of a Party

Plaintiff resides at:
2240 National Drive
Brooklyn, New York 11234

County of Kings

To the above named Defendants:

You are hereby summoned to Answer the Complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a Notice of Appearance on the Plaintiff's attorneys within twenty days after the service of this Summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or, within 30 days after completion of service where service is made in any other manner. In case of your failure to appear or Answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: NEW YORK, NY
May 28th, 2002

[Signature]
MARK SEGAL, ESQ.
SEGAL & LAX
Attorneys for Plaintiff
ROBERT MELTZER
501 5th Avenue Suite 2004
New York, NY 10017
(212) 922-0891

Our File No. 01-1984

TO: WORLD WRESTLING FEDERATION
1241 East Main Street
Stanford, CT. 06902

637591

WORLD NIGHT CLUB
1501 Broadway -2nd floor
New York, N.Y. 10036

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ROBERT MELTZER

Plaintiff,

-against-

WORLD NIGHT CLUB, WORLD WRESTLING
FEDERATION

Defendant.

Index No.: 21483/02
Date Purchased:

VERIFIED
COMPLAINT

MAY 31 2002

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FEDERATION was and still is a foreign corporation duly authorized to do business in the State of
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FEDERATION, maintained a principal place of business in the County of Fairfield, State of
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12. That at all times herein mentioned, and upon information and belief, the Defendant, **WORLD WRESTLING FEDERATION** repaired the aforesaid premises.
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MARK SEGAL, ESQ.

SEGAL & LAX

Attorneys for Plaintiff

ROBERT MELTZER

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May 28, 2002



MARK SEGAL, ESQ.

Index No.

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

ROBERT MELTZER

Plaintiff,

-against-

WORLD NIGHT CLUB, WORLD WRESTLING FEDERATION
Defendant.

SUMMONS AND VERIFIED COMPLAINT

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Attorneys for Plaintiff
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