

1. On December 20, 2006, the above-entitled action was commenced against Defendant in the Circuit Court for the Tenth Judicial Circuit, Putnam County, Illinois, and is now pending in said court.
2. Defendant received service of the Complaint and Summons in the above matter by personal service on or about December 21, 2006.

3. Pursuant to the provisions of 28 U.S.C. §1446(b), this Notice of Removal is filed within 30 days after service of Complaint and Summons upon Defendant.

4. Plaintiffs' Complaint for "Violation of Equal Protection Guarantees" alleges violations of their rights under the laws of the United States. Specifically, plaintiffs assert that the method of electing members of Defendant's Board of Education which is prescribed by state law (105 ILCS 5/11-A-8, succeeded by 105 ILCS 5/9) has deprived them of equal protection of the laws guaranteed by the Fourteenth Amendment of the United States Constitution.

5. Under 28 U.S.C. § 1331, the United States district courts have original jurisdiction over civil actions founded on a claim or right arising under the Constitution, laws or treaties of the United States. Accordingly, Plaintiffs' claims that their Fourteenth Amendment rights have been violated is within the original jurisdiction of this Court.

6. This action may therefore be removed to this Court pursuant to 28 U.S.C. § 1441(b).

7. To the extent that any part of the Complaint is construed as not governed by federal Constitutional law and is construed as containing any viable state law claims, the United States District Court has supplemental jurisdiction over such claims pursuant to 28 U.S.C. § 1367 because they are so related to claims in the action within this Court's original jurisdiction that they form part of the same case or controversy under Article III of the United State Constitution.

8. Pursuant to the requirements of 28 U.S.C. §1446(a), Defendant attached hereto as **Exhibit A** and files herewith copies of all state court pleadings and process served on Defendant in the above-captioned matter.

9. Pursuant to 28 U.S.C. §1446(d), this Notice of Removal has been served on all adverse parties hereto and the Clerk of the Circuit Court for the Tenth Judicial Circuit, Putnam County, Illinois.

Respectfully Submitted,

By: 
One of Defendants' Attorneys

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