

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

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OFFICE OF THE  
GENERAL COUNSEL

THE UNIVERSITY OF SOUTH FLORIDA  
BOARD OF TRUSTEES, a public body  
corporate,

Plaintiff,

v.

Case No.

SAMI AL-ARIAN,

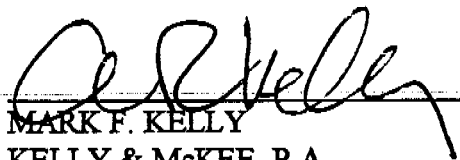
Defendant.

PETITION FOR REMOVAL

Defendant, SAMI AL-ARIAN, petitions the Court, pursuant to 28 U.S.C. § 1446, for the removal of University of South Florida Board of Trustees v. Sami Al-Arian, Case No. 2002-7743(B), from the Circuit Court of the Thirteenth Judicial Circuit, in and for Hillsborough County, Florida. The complaint, which was served along with process on August 27, 2002, seeks a declaration as to the rights of the parties under the First Amendment to the United States Constitution, other federal constitutional provisions, and 18 U.S.C. § 2333. Accordingly, the complaint establishes that federal law creates the cause of action sued upon and that plaintiff's right to relief necessarily depends on resolution of a substantial question of federal law. Removal is therefore proper under 28 U.S.C. §1331, 28 U.S.C. § 2201, and 42 U.S.C. § 1983. Attached to this petition are true copies of all process, pleadings and orders served upon defendant in this action.

I HEREBY CERTIFY that a true and correct copy of this document has been forwarded by First Class U.S. Mail to R.B. Friedlander, Interim General Counsel, University of South Florida, 4202 e. Fowler Avenue, ADM 250, Tampa, FL 33620; Thomas M. Gonzalez, Esquire, THOMPSON,

SIZEMORE & GONZALEZ, P.O. Box 639, Tampa, FL 33601-0638; Gregory W. Kehoe, Esquire, JAMES, HOYER, NEWCOMER, et al., 4830 W. Kennedy Blvd., Suite 147, Tampa, FL 33609-2517; and Bruce Rogow, Esquire, and Beverly Pohl, Esquire, BRUCE S. ROGOW, P.A., Broward Financial Centre, Suite 1930, 500 E. Broward Blvd., Ft. Lauderdale, FL 33394, on this 16<sup>th</sup> day of September, 2002.



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