

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

Oklahoma Department of Securities
Ex rel. Irving L. Faught, Administrator,
Plaintiff,

V

Case No.

CLV-04-1205T

Sunset Financial Group, Inc., an Oklahoma Corporation;
Vision Services, Inc., an Oklahoma corporation;
Amsterdam Fidelity Business Trust, a Nevada limited
liability partnership; EASE Corporation, an Oklahoma corporation;
Gold Star Properties, Inc., an unincorporated association;
Rebates International, Inc., a Nevada corporation;
Betty Solomon Brokerage, Inc., an Oklahoma corporation;
Emzie Huletty, an individual; Grover H. Phillips, an individual;
Nicholas Krug, and individual; Charles E. Elliott, an individual;
Terry Mahon, an individual; Denver Large, an individual;
Betty G. Solomon, an individual; and Donald J. Wood, an individual,
Defendant

FILED
SEP 24 2004
ROBERT D. DENNIS, CLERK
U.S. DIST. COURT, WESTERN DIST. OF OKLA.
BY _____ DEPUTY

Notice of Removal

Petitioner, Emzie Huletty, the defendant in the above-entitled cause, petitions for removal to this Court and in support thereof, alleges as follows:

1. The action currently pending in the District Court of Oklahoma County is based upon federal law and or statues regulated by the Securities Exchange Commission. The United States District Courts retained original jurisdiction.
2. Emzie Huletty is a resident of the State of Georgia, the Oklahoma Department of Securities is domiciled and located in the State of Oklahoma, Petitioner alleges complete diversity of citizenship. Therefore, this District Court had subject matter jurisdiction.

3. The amount of controversy exceeds ten million dollars, is base upon a federal question of law, and diversity of citizenship. The plaintiffs manipulated the artful pleading conception, to prevent defendants from removing the case from State Court.
4. The Plaintiffs are using state statues that are easily pre-empted by federal statues. The preemptive force of federal law is so powerful that it displaces any state law cause of action, and leaves room only for a federal claim for purposes of the "well pleaded complaint" rule, Metropolitan Life Ins. Co. v. Taylor, 481 U.S. 58, 107 S. Ct. 1542, 95 L. Ed. 2d 55 (1987).
5. Defendant Huletty and his corporation seek damages in the amount of twenty million dollars against the state of Oklahoma, Rebates, International, Inc., Rebates, L.L.C., Mark B. Toffoli, Patricia A. Labarthe, and other unnamed co-conspirators, who acted in concert with the State of Oklahoma to deprive him of his Civil Rights.
6. Patricia A. Labarthe and others bought state actions against Huletty because he is an African- American under the disguise that he was selling an investment Program, without being registered as a broker- dealer.

7. This defendant denies each and every allegation made against him and Sunset Financial Group, Vision Services, Inc., Ease Corporation and Don Woods.
8. Huletty demands the returns of his 2001 Dodge Durango, and by his Notice of Removal, opposes the Temporary Injunction Amended Temporary Injunction, Cease and Desist Order, The Final Order, and Permanent Injunction dated September 3, 2004, That the State of Oklahoma refused to serve upon him, in violation of the United States Constitution.
9. That this removal action has original federal jurisdiction because of a federal question, Diversity of Citizenship, and because, it is a Civil Rights Action.

WHEREFORE, defendant Emzie Huletty prays that this action be moved to the United States District Court, For The Northern District of Oklahoma.

Dated: 9-23, 2004.

By: 

Emzie Huletty
P.O. 428
Alpharetta GA, 30004

770-9120810

CERTIFICATE OF SERVICE

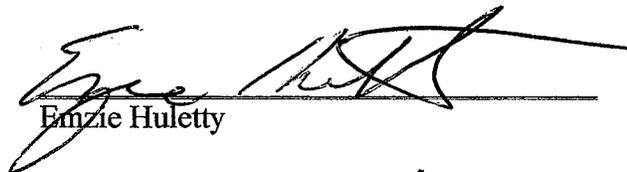
We have served all plaintiffs and or their Attorneys by first-class-mail, as follows:

Patricia A. Labarthe
Oklahoma Department of Securities
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Oklahoma City, OK 73102

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Amsterdam Fidelity, Business Trust
1924 S. Elvin Drive
Stillwater, OK 74074



Emzie Huletty

Date: 7-23-04