



Citation, as well as requested waiver of service. Defendant's counsel signed the waiver of service of citation, which was verified on November 17, 2020, and filed with the Travis County District Court on November 20, 2020. In the Lawsuit, Plaintiff brings causes of action for alleged violations of federal and state law, specifically Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. ("Title VII"), 42 U.S.C. § 1981, and the Texas Labor Code. Plaintiff asserts claims of race discrimination and retaliation under these laws.

Simultaneously with the filing of this notice of removal, Defendant submits the complete state court record as **Exhibit A**.

## **II. GROUND FOR REMOVAL**

Defendant files this notice of removal within 30 days of receiving Plaintiff's initial pleading. *See* 28 U.S.C. § 1446(b). Additionally, venue is proper in this District and Division under 28 U.S.C. § 1441(a) because this District and Division include the county in which the state action has been pending and because a substantial part of the events giving rise to Plaintiff's claims allegedly occurred in this District and Division.

In Plaintiff's Original Petition, Plaintiff expressly makes claims for relief against Defendant "arising under the Constitution, laws, or treaties of the United States." *See* 28 U.S.C. § 1331. Specifically, Plaintiff asserts causes of action for violations of Title VII, including discrimination and retaliation, and 42 U.S.C. § 1981. *See Pl.'s Original Pet.*, ¶¶ 56-60, 66-68, and 72-75. Accordingly, because Plaintiff has asserted claims under federal laws, this court has federal question jurisdiction pursuant to 28 U.S.C. § 1331. *See* 28 U.S.C. § 1331 ("The district courts shall have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States."). Moreover, this Court has supplemental jurisdiction over Plaintiff's remaining race discrimination and retaliation claims arising under the Texas Labor Code as these claims "are so related to claims in the action within such original jurisdiction that

they form part of the same case or controversy under Article III of the United States Constitution.” 28 U.S.C. § 1367.

Pursuant to 28 U.S.C. §1446(a), all pleadings, process, orders, and all other filings in the state court action are attached to this Notice as **Exhibit A**. Pursuant to 28 U.S.C. § 1446(d), promptly after Defendant files this Notice, written notice of the filing will be given to Plaintiff, the adverse party. Pursuant to 28 U.S.C. §1446(d), a true and correct copy of this Notice of Removal will be filed with the Clerk of the Travis County District Court promptly after Defendant files this Notice.

### **III. CONCLUSION**

Based upon the foregoing, the exhibit submitted in support of this Notice, and other documents filed contemporaneously with this Notice and fully incorporated herein by reference, Defendant hereby removes this case to this Court for trial and determination.

Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

By: /s/Stephanie S. Rojo

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**ATTORNEYS FOR DEFENDANT  
TRAVIS COUNTY HEALTHCARE DISTRICT  
D/B/A CENTRAL HEALTH**

**CERTIFICATE OF SERVICE**

I hereby certify that on December 4, 2020, a true and correct copy of the foregoing document was served in accordance with the Federal Rules of Civil Procedure upon all known counsel and parties of record by electronic service using the Court's CM/ECF system.

Colin Walsh

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**ATTORNEY FOR PLAINTIFF**

**LARIMEN WALLACE**

*/s/Stephanie S. Rojo*

\_\_\_\_\_  
Stephanie S. Rojo





**CERTIFICATE OF CONFERENCE**

The undersigned counsel has conferred with Plaintiff's counsel regarding this motion and Plaintiff is unopposed.

/s/ Kimberly L. Kauffman  
Kimberly L. Kauffman

**CERTIFICATE OF SERVICE**

I hereby certify that on December 11, 2020, a true and correct copy of the foregoing document was served in accordance with the Federal Rules of Civil Procedure upon all known counsel and parties of record by electronic service using the Court's CM/ECF system.

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**ATTORNEY FOR PLAINTIFF**  
**LARIMEN WALLACE**

/s/ Stephanie S. Rojo  
Stephanie S. Rojo











Respectfully submitted,

THOMPSON, COE, COUSINS & IRONS, L.L.P.

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**ATTORNEYS FOR DEFENDANT  
TRAVIS COUNTY HEALTHCARE DISTRICT  
D/B/A CENTRAL HEALTH**

**AND**

/s/Colin Walsh\*  
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**ATTORNEY FOR PLAINTIFF  
LARIMEN WALLACE**

*\*signed with permission*

**CERTIFICATE OF CONFERENCE**

I hereby certify by my signature below that I conferred with Plaintiff's counsel regarding the substance of this joint filing. Upon review, Plaintiff's counsel expressed his approval of the filing and its content.

/s/Kimberly L. Kauffman  
Kimberly L. Kauffman

**CERTIFICATE OF SERVICE**

I hereby certify that on January 25, 2021, a true and correct copy of the foregoing document was served in accordance with the Federal Rules of Civil Procedure upon all known counsel and parties of record by electronic service using the Court's CM/ECF system.

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**ATTORNEY FOR PLAINTIFF**  
**LARIMEN WALLACE**

/s/Stephanie S. Rojo  
Stephanie S. Rojo  
Kimberly L. Kauffman

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

LARIMEN WALLACE,

Plaintiff,

v.

TRAVIS COUNTY HEALTHCARE  
DISTRICT d/b/a CENTRAL HEALTH,

Defendant.

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1:20-CV-1191-RP

**ORDER**

On January 25, 2021, the parties filed their Joint Notice of Settlement and Motion to Abate. (Dkt. 5). In their notice, the parties represent that the parties have agreed to settle all claims in this action and expect to file a stipulation of dismissal within 60 days. (*Id.*). In the meantime, the parties ask that the Court stay all pending deadlines. (*Id.*).

In light of the parties' Joint Notice of Settlement and Motion to Abate, the Court **GRANTS** their motion to stay this action. Accordingly, this action is **STAYED** until March 26, 2021. Plaintiff shall either file dismissal papers or a motion to extend the stay no later than **March 26, 2021**.

**SIGNED** on January 27, 2021.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE