UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

GILBERT P. HYATT,
Plaintiff,

v.

MICHAEL R. CAPUTO d/b/a MICHAEL CAPUTO PUBLIC RELATIONS; MICHAEL CAPUTO PUBLIC RELATIONS, INC.; JONN KEAMY; REGAL FINANCIAL; JOHN DOE NOS. 1–10; and ABC ENTITY NOS. 1–10,
Defendants.

Civil Action No. _____
(Removed from the Superior Court of the District of Columbia, Civil Division, Case No. 2026-CAB-006262)

NOTICE OF REMOVAL AND STATEMENT OF GROUNDS

Defendant Michael R. Caputo, individually and doing business as Michael Caputo Public Relations ("Caputo"), by and through undersigned counsel, removes this action from the Superior Court of the District of Columbia, Civil Division, to this Court under 28 U.S.C. §§ 1332, 1441, and 1446. Removal is timely, complete diversity of citizenship exists, no defendant is a citizen of the District of Columbia, and the amount in controversy exceeds $75,000, exclusive of interest and costs. A short and plain statement of the grounds follows.

I. THE STATE-COURT ACTION

1. On or about September 8, 2026, Plaintiff Gilbert P. Hyatt filed an Amended Complaint in the Superior Court of the District of Columbia, Civil Division, captioned Gilbert P. Hyatt v. Michael R. Caputo d/b/a Michael Caputo Public Relations, et al., Case No. 2026-CAB-006262 (the "State Action"). The Amended Complaint is dated September 4, 2026, and bears the Superior Court's e-filing stamp of September 8, 2026. A copy of the Amended Complaint, together with all process, pleadings, and orders served on Caputo in the State Action, is attached as Exhibit A, as required by 28 U.S.C. § 1446(a).

2. Caputo first received a copy of the Amended Complaint, through service or otherwise, on September 15, 2026. This Notice is filed within thirty days of that receipt. 28 U.S.C. § 1446(b)(1).

3. The Amended Complaint names as defendants Caputo; Michael Caputo Public Relations, Inc. ("MCPR"); Jonn Keamy ("Keamy"); Regal Financial ("Regal"); and fictitious defendants designated John Doe Nos. 1–10 and ABC Entity Nos. 1–10. Am. Compl. ¶¶ 22–26; caption.

4. The Amended Complaint asserts nine counts, all under District of Columbia common law: Count One, tortious interference with prospective economic advantage, against all defendants; Count Two, breach of the February 5, 2025 consulting agreement, against Caputo and MCPR; Count Three, breach of a November 21,

2016 consulting agreement, against Keamy and Regal; Count Four, unjust enrichment, against all defendants; Count Five, promissory estoppel, against Caputo and MCPR; Count Six, breach of the implied covenant of good faith and fair dealing, against all defendants; Count Seven, fraudulent misrepresentation, against Caputo; Count Eight, negligent misrepresentation, against Caputo; and Count Nine, breach of a confidential relationship, against all defendants. Am. Compl. at 71–83. No count is pleaded under the Constitution, laws, or treaties of the United States.

5. Caputo does not, by this Notice, admit any allegation of the Amended Complaint. He reserves every defense available in this Court, including failure to state a claim, lack of personal jurisdiction, improper venue as originally laid, and every contractual defense. Removal is a statutory right and is not a general appearance conceding the merits.

II. THIS COURT HAS ORIGINAL DIVERSITY JURISDICTION

6. A defendant may remove "any civil action brought in a State court of which the district courts of the United States have original jurisdiction." 28 U.S.C. § 1441(a). For purposes of the removal statutes, the Superior Court of the District of Columbia is a "State court," and the District of Columbia is a "State." 28 U.S.C. § 1451. The district court for the district within which the action is pending is this Court.

7. This Court has original jurisdiction because the matter in controversy exceeds $75,000, exclusive of interest and costs, and is between citizens of different States. 28 U.S.C. § 1332(a)(1). The word "States," as used in section 1332, includes the District of Columbia. 28 U.S.C. § 1332(e). No party is alleged to be a citizen of the District of Columbia, so jurisdiction here rests on ordinary diversity among citizens of Nevada, Florida, and California.

A. Complete diversity of citizenship

8. Diversity must be complete. Strawbridge v. Curtiss, 7 U.S. (3 Cranch) 267 (1806). It is. Plaintiff is a citizen of Nevada. Every named defendant is a citizen of Florida or California. The citizenship of the fictitious defendants is disregarded. 28 U.S.C. § 1441(b)(1).

9. Plaintiff. The Amended Complaint alleges that "Plaintiff is a natural person, inventor and philanthropist residing in the State of Nevada." Am. Compl. ¶ 21. The Washington, D.C., address in the caption is not Plaintiff's residence. Footnote 1 of the Amended Complaint states that it is a "[s]ubstitute address provided pursuant to D.C. Super. Ct. Civ. R. 10-I(2)," and it is the address of Plaintiff's counsel, Foley & Lardner LLP, 3000 K Street, N.W., Suite 600, Washington, DC 20007. Am. Compl. at 1, 84. On information and belief, and based on the Amended Complaint's own allegation, Plaintiff is domiciled and is a citizen of Nevada, and of no other State or of the District of Columbia. Caputo will amend this allegation promptly if discovery shows a different domicile. See 28 U.S.C. § 1653.

10. Caputo. Caputo is a natural person. The Amended Complaint alleges that he resides at 5352 Ferrari Avenue, Ave Maria, Florida 34142. Am. Compl. ¶ 22; caption. He is domiciled in Florida and is a citizen of Florida, and of no other State.

11. MCPR. The Amended Complaint alleges that MCPR "is a public relations firm and company organized under the laws of the State of Florida," with its principal place of business at 15901 Collins Avenue, Apt. 904, Sunny Isles Beach, Florida. Am. Compl. ¶ 23. A corporation is a citizen of every State by which it has been incorporated and of the State where it has its principal place of business. 28 U.S.C. § 1332(c)(1); Hertz Corp. v. Friend, 559 U.S. 77 (2010). MCPR is a citizen of Florida only.

12. Keamy. Keamy is a natural person. The Amended Complaint alleges that he resides at 4924 Balboa Boulevard, #112, Encino, California 91316. Am. Compl. ¶ 24; caption. On information and belief, he is domiciled in California and is a citizen of California.

13. Regal. The Amended Complaint alleges that Regal is "a consulting firm purporting to be headquartered in California," with its principal place of business at the same Encino address, and that Keamy is its purported founder. Am. Compl. ¶¶ 24–25. On information and belief, Regal is either a trade name or sole proprietorship of Keamy, in which case its citizenship is California, or an unincorporated entity whose members are citizens of California. An unincorporated entity takes the citizenship of each of its members. Carden v. Arkoma Assocs., 494 U.S. 185 (1990). No member of Regal is, on information and belief, a citizen of Nevada. If Regal is a corporation, it is, on the face of the Amended Complaint, organized and headquartered in California and is a citizen of California under 28 U.S.C. § 1332(c)(1). In every alternative pleaded by the complaint, Regal is not a citizen of Nevada.

14. Fictitious defendants. John Doe Nos. 1–10 and ABC Entity Nos. 1–10 are sued under fictitious names. Am. Compl. ¶¶ 26–27. "In determining whether a civil action is removable on the basis of the jurisdiction under section 1332(a) of this title, the citizenship of defendants sued under fictitious names shall be disregarded." 28 U.S.C. § 1441(b)(1). Their presence does not defeat diversity.

15. Complete diversity follows. A citizen of Nevada sues citizens of Florida and California. No named defendant shares Plaintiff's citizenship.

B. The forum-defendant rule does not bar removal

16. An action removable solely under section 1332 "may not be removed if any of the parties in interest properly joined and served as defendants is a citizen of the State in which such action is brought." 28 U.S.C. § 1441(b)(2). The District of Columbia is the "State" in which this action was brought. 28 U.S.C. § 1451. Caputo is a citizen of Florida. MCPR is a citizen of Florida. Keamy is a citizen of California. Regal is a citizen of California. None is a citizen of the District of Columbia. The forum-defendant rule is no obstacle.

C. The amount in controversy exceeds $75,000

17. A notice of removal "need include only a plausible allegation that the amount in controversy exceeds the jurisdictional threshold." Dart Cherokee Basin Operating Co. v. Owens, 574 U.S. 81, 89 (2014); 28 U.S.C. § 1446(a). The Amended Complaint itself supplies that allegation, and more.

18. The prayer demands "[j]udgment on his behalf for compensatory damages in the amount of $100,000.00, plus pre-judgment and post-judgment interest against Defendants Caputo and MCPR." Am. Compl., Prayer ¶ (a). That demand, standing alone and against Caputo, exceeds $75,000 exclusive of interest and costs. The same pleading alleges that Caputo "was paid $10,000.00 per month covering ten months totaling $100,000.00," and that Count Two seeks damages "in an amount not less than $100,000.00." Am. Compl. ¶ 12; Count Two. Count Six repeats a demand of "not less than $100,000.00" against Caputo and MCPR. Counts Seven and Eight each allege that Plaintiff "suffered no less than $100,000.00 in damages" from the misrepresentation counts pleaded against Caputo alone.

19. The prayer does not stop at the retainer. It also demands compensatory damages against Keamy and Regal in an amount to be determined at trial; compensatory damages for medical issues allegedly caused by emotional distress; specific performance of both consulting agreements; punitive damages; special damages for reputational harm, lost profits, and loss of economic advantage; and costs and attorney's fees. Am. Compl., Prayer ¶¶ (b)–(g). Punitive damages and alleged special damages are counted toward the amount in controversy where, as here, they are pleaded and recoverable under the governing law. See, e.g., Bell v.

Preferred Life Assurance Soc'y, 320 U.S. 238 (1943). District of Columbia law permits punitive damages on a properly pleaded fraud claim, which is Count Seven.

20. Plaintiff also alleges that the conduct "harmed Plaintiff's prospective interests, inter alia, economic and property interests," and that defendants, once they "learned that Plaintiff's non-profit Foundation could have a trillion-dollar revenue-generating impact," took steps that "resulted in significant damage to Plaintiff's philanthropic initiatives." Am. Compl. ¶¶ 14, 16. Caputo does not adopt those figures. He cites them only because a removing defendant is entitled to rely on the plaintiff's own demand. Even if the trillion-dollar allegation is disregarded entirely as speculative, the $100,000 compensatory demand against Caputo, together with the pleaded punitive and special damages, places more than $75,000 in controversy. It is facially apparent from the Amended Complaint that the jurisdictional amount is met. If Plaintiff contests the amount, Caputo will carry the preponderance burden under 28 U.S.C. § 1446(c)(2)(B).

21. Interest is excluded from the calculation, as the statute requires, and has not been counted. 28 U.S.C. § 1332(a). The $100,000 figure in Prayer paragraph (a) is pleaded as compensatory damages, not as interest.

D. No federal question is required, and none is asserted

22. Removal here does not depend on 28 U.S.C. § 1331. The Amended Complaint does not plead a federal claim. References to a presidential executive order, to the International Trade Commission, and to two protective orders entered in other cases in this District are narrative allegations, not causes of action. Federal jurisdiction is supplied entirely by section 1332. Those references do not create a federal claim, and Caputo does not remove on that ground. See Caterpillar Inc. v. Williams, 482 U.S. 386, 392 (1987).

III. PROCEDURAL REQUIREMENTS ARE SATISFIED

23. Consent of served defendants. When a civil action is removed solely under section 1441(a), "all defendants who have been properly joined and served must join in or consent to the removal." 28 U.S.C. § 1446(b)(2)(A). Each defendant has thirty days after receipt or service of the initial pleading to file or to consent. 28 U.S.C. § 1446(b)(2)(B), (C).

24. MCPR joins in and consents to this removal. Its written consent is attached as Exhibit B. [Keamy joins in and consents to this removal. Regal joins in and consents to this removal. Their written consents are attached as Exhibit C.] [Alternatively: Keamy and Regal have not been properly joined and served. Their consent is not required. 28 U.S.C. § 1446(b)(2)(A). Caputo will file any later-served defendant's consent within that defendant's own thirty-day period.] The fictitious defendants have not been served and need not consent.

25. Timing. This Notice is filed within thirty days after Caputo's receipt, through service or otherwise, of the Amended Complaint, which is the initial pleading setting forth the claim for relief. 28 U.S.C. § 1446(b)(1). The State Action was commenced in September 2026. Removal on diversity grounds is not barred by the one-year limitation in 28 U.S.C. § 1446(c)(1), which in any event applies only to removal under section 1446(b)(3).

26. Venue of the removed action. Venue of a removed action lies in "the district court of the United States for the district and division within which such action is pending." 28 U.S.C. § 1441(a); see also 28 U.S.C. § 1446(a). The State Action is pending in the District of Columbia. Venue in this Court is proper.

27. Notice to adverse parties and to the Superior Court. Promptly after filing this Notice, Caputo will give written notice to all adverse parties and will file a copy of this Notice with the Clerk of the Superior Court of the District of Columbia, as required by 28 U.S.C. § 1446(d). Filing that copy effects the removal, and the Superior Court shall proceed no further unless and until the case is remanded.

28. Pleadings and process. Exhibit A contains the Amended Complaint and every process, pleading, and order served on Caputo in the State Action. 28 U.S.C. § 1446(a). Caputo will supplement the exhibit if any further state-court paper is served.

29. Jury demand. Plaintiff demanded a jury in the State Action. Am. Compl. at 1, 84. That demand is preserved. Caputo likewise demands a trial by jury on every issue so triable.

IV. PRAYER

WHEREFORE, Defendant Michael R. Caputo removes this action from the Superior Court of the District of Columbia to this Court, asks that this Court assume full jurisdiction, and asks that the State Action proceed no further in the Superior Court unless and until remanded. Caputo requests all other relief the Court deems proper.

Dated: October 5, 2026

Respectfully submitted,

Michael R. Caputo
5352 Ferrari Avenue
Ave Maria, Florida 34142
(716) 867-5554 / mc@caputopr.com
Defendant

CERTIFICATE OF SERVICE

I certify that on October 5, 2026, I served a copy of this Notice of Removal, with exhibits, by electronic mail on counsel for Plaintiff:

Jack F. Korba (D.C. Bar No. 1010303)
Foley & Lardner LLP
3000 K Street, N.W., Suite 600
Washington, DC 20007
Telephone: (202) 295-4110

and on Jonn Keamy and Regal Financial, 4924 Balboa Blvd. #112, Encino, California 91316].

Michael R. Caputo