JS 44 (Rev. 10/20)

## Case 2:21-cv-00317-JCZTV/IV COCUERNS 11-12 $E^{-1}$ Filed 02/12/21 Page 1 of 2

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS				DEFENDANTS						
Atchafalaya Basinkeeper, Inc., Louisiana Crawfish Producers' Association-West, Healthy Gulf				U.S. Army Corps of Engineers						
(b) County of Residence of First Listed Plaintiff   Iberville Parish				County of Residence of First Listed Defendant Orleans Parish						
(EXCEPT IN U.S. PLAINTIFF CASES)				(IN U.S. PLAINTIFF CASES ONLY)  NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.						
(c) Attorneys (Firm Name, Address, and Telephone Number)				Attorneys (If Known)						
(c) Attorneys (Firm Name, Address, and Telephone Number) Tulane Environmental Law Clinic				Attorneys (IJ Known)						
6329 Freret Street										
New Orleans. LA 70118  II. BASIS OF JURISDICTION (Place an "X" in One Box Only)  III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plain Plain Parties (Place an "X" in One Box for Plain Parties (Place an "X" in One Box for Plain Parties (Place an "X" in One Box for Plain Parties (Place an "X" in One Box for Plain Parties (Place an "X" in One Box for Plain Parties (Place an "X" in One Box Only)										
II. BASIS OF JURISD	ICTION (Place an "X" in 6	One Box Only)		<b>FIZENSHIP OF PI</b> (For Diversity Cases Only)	RINCIPA		Place an "X" in and One Box for I			
U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)			Citizen of This State		F DEF PTF DEF			DEF	
x 2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)		Citize	en of Another State	2 2	Incorporated and P of Business In A		5	5	
				en or Subject of a eign Country				6		
IV. NATURE OF SUIT (Place an "X" in One Box Only)				Click here for: Nature of Suit Code Descriptions.						
CONTRACT  110 Insurance	PERSONAL INJURY PERSONAL INJUR			FORFEITURE/PENALTY 625 Drug Related Seizure		BANKRUPTCY 422 Appeal 28 USC 158		375 False Claims Act		
120 Marine	310 Airplane 365 Personal In			of Property 21 USC 881	423 W	ithdrawal	376 Qui Tam (31 USC 3729(a))			
130 Miller Act 140 Negotiable Instrument	315 Airplane Product Liability	Product Liability  367 Health Care/	H 69	0 Other	28	USC 157	400 State R		nment	
150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel &	20 Assault, Libel & Pharmaceutical Slander Personal Injury				PROPERTY RIGHTS 820 Copyrights		410 Antitrust 430 Banks and Banking		
151 Medicare Act	330 Federal Employers'	Product Liability			830 Pa	tent	450 Comm	erce	ng	
152 Recovery of Defaulted Student Loans	Liability 340 Marine	368 Asbestos Personal Injury Product			835 Patent - Abbreviated New Drug Application		460 Deportation 470 Racketeer Influenced and			
(Excludes Veterans)	345 Marine Product	45 Marine Product Liability Liability PERSONAL PROPERT		LABOR		840 Trademark 880 Defend Trade Secrets		Corrupt Organizations		
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	0 Motor Vehicle 370 Other Fraud		710 Fair Labor Standards		Act of 2016		480 Consumer Credit (15 USC 1681 or 1692)		
160 Stockholders' Suits	355 Motor Vehicle Product Liability	371 Truth in Lending 380 Other Personal	L <sub>72</sub>	Act 0 Labor/Management	SOCI	AL SECURITY	485 Teleph	one Consu tion Act	mer	
195 Contract Product Liability	360 Other Personal Property Damage			Relations		A (1395ff)	490 Cable/Sat TV			
196 Franchise	Injury  362 Personal Injury -	385 Property Damage Product Liability		0 Railway Labor Act 1 Family and Medical		ack Lung (923) WC/DIWW (405(g))	850 Securit Excha		odities/	
REAL PROPERTY	Medical Malpractice CIVIL RIGHTS	PRISONER PETITION	79	Leave Act 0 Other Labor Litigation		ID Title XVI SI (405(g))	890 Other S 891 Agricu	-		
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:		1 Employee Retirement	803 K3	1 (403(g))	893 Enviro	nmental M	latters	
220 Foreclosure 230 Rent Lease & Ejectment	441 Voting 442 Employment	463 Alien Detainee 510 Motions to Vacate		Income Security Act		XAL TAX SUITS xes (U.S. Plaintiff	× 895 Freedo Act	m of Infor	mation	
240 Torts to Land	443 Housing/	Sentence			or	Defendant)	896 Arbitra		,	
245 Tort Product Liability 290 All Other Real Property	Accommodations 445 Amer. w/Disabilities -	530 General 535 Death Penalty		IMMIGRATION		S—Third Party 6 USC 7609	899 Admin Act/Re	view or A		
	Employment 446 Amer. w/Disabilities -	Other: 540 Mandamus & Othe		2 Naturalization Application 5 Other Immigration	1		Agency 950 Consti	y Decision		
	Other	550 Civil Rights		Actions			State S		01	
	448 Education	555 Prison Condition 560 Civil Detainee -								
		Conditions of Confinement								
V. ORIGIN (Place an "X" i	n One Box Only)				1					
	1 1	Remanded from Appellate Court	4 Reins Reop		r District	6 Multidistri Litigation Transfer		Multidis Litigation Direct F	on -	
				Oo not cite jurisdictional stat	utes unless d	liversity):				
VI. CAUSE OF ACTION 5 U.S.C. 552 - Freedom of Information Act (FOIA Brief description of cause:			IA)							
Failures to respond, to search, and to produce re				sponsive to FOIA request	s					
VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.			<b>D</b> 1	CMAND \$ CHECK YES only if demanded in complaint:  JURY DEMAND: Yes No						
VIII. RELATED CASE(S) IF ANY  (See instructions): JUDGE										
DATE		SIGNATURE OF ATTORNEY OF RECORD								
Feb 12, 2021 Elizabeth Livingston de Calderon Output (State Chicago Control Calderon Chicago Chi										
FOR OFFICE USE ONLY										
RECEIPT # AM	ECEIPT # AMOUNT APPLYING IFP			JUDGE		MAG. JUDGE				

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

  United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box. Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

  Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- III. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: Nature of Suit Code Descriptions.
- V. Origin. Place an "X" in one of the seven boxes.
  - Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. **PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statue.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.

  Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

  Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.