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## **CIVIL COVER SHEET**

JS-44 (Rev. 11/2020 DC)											
I. (a) PLAINTIFFS		D	DEFENDANTS								
Oceana, Inc.			Gina M. Raimondo in her official capacity as Secretary of the United States Department of Commerce; Rob Fairweather in his official capacity as Acting Director of the Office of Manadement and Buddet ■								
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF (EXCEPT IN U.S. PLAINTIFF CASES)			COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED								
(c) ATTORNEYS (FIRMNAME, ADDRESS, AND TELEPHONE NUMBER)			ATTORNEYS (IF KNOWN)								
Paul Werner Sheppard Mullin Richter & Har 2099 Pennsylvania Ave., NW, Washington, DC 20006 (202)											
II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)		III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!									
	deral Question S. Government Not a Party) Ci	Citizen of this State O 1 O 1 Incorpora of Busine:				ated or Principal Place ess in This State	PTF O 4	DFT O 4			
Defendant (In	dicate Citizenship of	Citizen of Another State O 2 O 2 II			rporated and Principal Place O 5 O 5 asiness in Another State						
rai	, U	itizen or Sub oreign Count				Nation	<b>O</b> 6	<b>O</b> 6			
IV. CASE ASSIGNMENT AND NATURE OF SUIT (Place an X in one category, A-N, that best represents your Cause of Action and <u>one</u> in a corresponding Nature of Suit)											
O A. Antitrust O B. P	Personal Injury/ lalpractice		Administrative Review			O D. Tempor Order/Pr Injunctio	ary Rest elimina				
410       Antirust       310 Ait         315 Ait       320 As         330 Fe       340 Ma         345 Ma       350 Ma         355 Ma       360 Ot         365 Pr       367 He         9       368 As	Other Statutes         891 Agricultural Acts         893 Environmental Matters         890 Other Statutory Actions (If         Administrative Agency is				Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*						
O E. General Civil (Other)	OR	0	F. Pro Se Gei	ieral C	ïvil						
Real PropertyBankruptcy210 Land Condemnation422 Appeal 27 USC 1220 Foreclosure423 Withdrawal 28 U230 Rent, Lease & Ejectment535 Death Penalty240 Torts to Land535 Death Penalty245 Tort Product Liability535 Death Penalty290 All Other Real Property550 Civil Rights970 Other Fraud550 Civil Detainee -370 Other Fraud560 Civil Detainee -371 Truth in Lending560 Civil Detainee -380 Other Personal Property6820 CopyrightsDamage820 Copyrights9830 Patent835 Patent - AbbreviDrug Application840 Trademark2016 (DTSA)		2 157 defendant) 871 IRS-Third Party 26 USC 7609 r <u>Forfeiture/Penalty</u> 625 Drug Related Seizure of Property 21 USC 881 690 Other 0ther Statutes 375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment 430 Banks & Banking 450 Commerce/ICC Rates/etc		26 USC izure of 881 C nment g	<ul> <li>465 Other Immigration Actions</li> <li>470 Racketeer Influenced &amp; Corrupt Organization</li> <li>480 Consumer Credit</li> <li>485 Telephone Consumer Protection Act (TCPA)</li> <li>490 Cable/Satellite TV</li> <li>850 Securities/Commodities/ Exchange</li> <li>896 Arbitration</li> <li>899 Administrative Procedure Act/Review or Appeal of Agency Decision</li> <li>950 Constitutionality of State Statutes</li> <li>890 Other Statutory Actions (if not administrative agency review or Privacy Act)</li> </ul>						

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<ul> <li>○ G. Habeas Corpus/ 2255</li> <li>□ 530 Habeas Corpus – General</li> <li>□ 510 Motion/Vacate Sentence</li> <li>□ 463 Habeas Corpus – Alien Detainee</li> </ul>	<ul> <li>H. Employment Discrimination</li> <li>442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation)</li> </ul>	<ul> <li>O I. FOIA/PrivacyAct</li> <li>         № 895 Freedom of Information Act         № 890 Other Statutory Actions (if Privacy Act)     </li> </ul>	O J. Student Loan 152 Recovery of Defaulted Student Loan (excluding veterans)						
	*(If pro se, select this deck)*	*(If pro se, select this deck)*							
<ul> <li>K. Labor/ERISA (non-employment)</li> <li>710 Fair Labor Standards Act</li> <li>720 Labor/Mgmt. Relations</li> <li>740 Labor Railway Act</li> <li>751 Family and Medical Leave Act</li> <li>790 Other Labor Litigation</li> <li>791 Empl. Ret. Inc. Security Act</li> </ul>	<ul> <li>L. Other Civil Rights (non-employment)</li> <li>441 Voting (if not Voting Rights Act)</li> <li>443 Housing/Accommodations</li> <li>440 Other Civil Rights</li> <li>445 Americans w/Disabilities – Employment</li> <li>446 Americans w/Disabilities – Other</li> <li>448 Education</li> </ul>	<ul> <li>M. Contract</li> <li>110 Insurance</li> <li>120 Marine</li> <li>130 Miller Act</li> <li>140 Negotiable Instrument</li> <li>150 Recovery of Overpayment &amp; Enforcement of Judgment</li> <li>153 Recovery of Overpayment of Veteran's Benefits</li> <li>160 Stockholder's Suits</li> <li>190 Other Contracts</li> <li>195 Contract Product Liability</li> <li>196 Franchise</li> </ul>	<ul> <li>N. Three-Judge Court</li> <li>441 Civil Rights – Voting (if Voting Rights Act)</li> </ul>						
V. ORIGIN									
<ul> <li>1 Original Proceeding</li> <li>2 Removed from State Court</li> <li>3 Remanded from Appellate Court</li> <li>4 Reinstated or Reopened Court</li> <li>5 Transferred from another district (specify)</li> <li>6 Multi-district</li> <li>7 Appeal to District Judge from Mag. Judge</li> </ul>									
VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.) Freedom of Information Act, 5 U.S.C. § 552									
VII. REQUESTED IN COMPLAINT       CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23       DEMAND \$       Check YES only if demanded in complaint         VII. REQUESTED IN COMPLAINT       CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23       DEMAND \$       Check YES only if demanded in complaint									
VIII. RELATED CASE(S)       (See instruction)       YES       NO       If yes, please complete related case form         IF ANY       If yes, please complete related case form       If yes, please complete related case form									
DATE:3/11/2021	SIGNATURE OF ATTORNEY OF RECORD /s/ Paul Werner								

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET 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 services 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. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed <u>only</u> if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the <u>primary</u> cause of action found in your complaint. You may select only <u>one</u> category. You <u>must</u> also select <u>one</u> corresponding nature of suit found under the category of the case.
- VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

Additional Attorney of Record for Plaintiff Oceana, Inc.:

Amanda Witt (DC Bar 1671377) (*Pro Hac Vice forthcoming*) Sheppard Mullin Richter & Hampton LLP 2099 Pennsylvania Ave., N.W., Suite 100 Washington, D.C. 20006 (202) 747-2189 awitt@sheppardmullin.com