JS 44 (Rev. 04/21)

Case 1:21-cv-01247 Wecker Cover Shiel 95/06/21 Page 1 of 2

	. This form, approved by the	e Judicial Conference of			
 I. (a) PLAINTIFFS (b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES) (c) Attorneys (Firm Name, Address, and Telephone Number) 			DEFENDANTS		
			(For Diversity Cases Only)		Place an "X" in One Box for Plaintiff and One Box for Defendant)
1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)		PT Citizen of This State	IF DEF 1 1 Incorporated or Prior of Business In T 0	
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)		Citizen of Another State	2 2 Incorporated and F of Business In A	
			Citizen or Subject of a Foreign Country	3 3 Foreign Nation	6 6
IV. NATURE OF SUIT				Click here for: <u>Nature of S</u>	· · · · · · · · · · · · · · · · · · ·
CONTRACT 110 Insurance	PERSONAL INJURY	RTS PERSONAL INJURY	FORFEITURE/PENALTY 625 Drug Related Seizure	BANKRUPTCY 422 Appeal 28 USC 158	OTHER STATUTES 375 False Claims Act
120 Marine 130 Miller Act 140 Negotiable Instrument	310 Airplane 315 Airplane Product Liability	365 Personal Injury - Product Liability 367 Health Care/	of Property 21 USC 881	423 Withdrawal 28 USC 157 INTELLECTUAL	376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment
150 Recovery of Overpayment	320 Assault, Libel &	Pharmaceutical		PROPERTY RIGHTS	410 Antitrust
& Enforcement of Judgment 151 Medicare Act	Slander 330 Federal Employers'	Personal Injury Product Liability		820 Copyrights 830 Patent	430 Banks and Banking 450 Commerce
152 Recovery of Defaulted Student Loans	Liability 340 Marine	368 Asbestos Personal Injury Product		835 Patent - Abbreviated	460 Deportation 470 Racketeer Influenced and
(Excludes Veterans)	345 Marine Product	Liability		New Drug Application 840 Trademark	Corrupt Organizations
153 Recovery of Overpayment of Veteran's Benefits	Liability 350 Motor Vehicle	PERSONAL PROPERTY 370 Other Fraud	7 LABOR 710 Fair Labor Standards	880 Defend Trade Secrets	480 Consumer Credit (15 USC 1681 or 1692)
160 Stockholders' Suits	355 Motor Vehicle	371 Truth in Lending	Act	Act of 2016	485 Telephone Consumer
190 Other Contract 195 Contract Product Liability	Product Liability	380 Other Personal	720 Labor/Management	SOCIAL SECURITY	Protection Act 490 Cable/Sat TV
195 Contract Product Liability	360 Other Personal Injury	Property Damage 385 Property Damage	Relations 740 Railway Labor Act	861 HIA (1395ff) 862 Black Lung (923)	850 Securities/Commodities/
	362 Personal Injury -	Product Liability	751 Family and Medical Leave Act	863 DIWC/DIWW (405(g))	Exchange
REAL PROPERTY	Medical Malpractice CIVIL RIGHTS	PRISONER PETITIONS	790 Other Labor Litigation	864 SSID Title XVI 865 RSI (405(g))	890 Other Statutory Actions 891 Agricultural Acts
210 Land Condemnation	440 Other Civil Rights	Habeas Corpus:	791 Employee Retirement		893 Environmental Matters
220 Foreclosure 230 Rent Lease & Ejectment	441 Voting 442 Employment	463 Alien Detainee 510 Motions to Vacate	Income Security Act	FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff	895 Freedom of Information Act
240 Torts to Land	443 Housing/	Sentence		or Defendant)	896 Arbitration
245 Tort Product Liability 290 All Other Real Property	Accommodations 445 Amer. w/Disabilities -	530 General 535 Death Penalty	IMMIGRATION	871 IRS—Third Party 26 USC 7609	899 Administrative Procedure Act/Review or Appeal of
	Employment	Other:	462 Naturalization Application		Agency Decision
	446 Amer. w/Disabilities - Other	540 Mandamus & Other 550 Civil Rights	465 Other Immigration Actions		950 Constitutionality of State Statutes
	448 Education	555 Prison Condition	Actions		State Statutes
		560 Civil Detainee - Conditions of			
		Confinement			
V. ORIGIN (Place an "X" in	n One Box Only)				
		Remanded from	4 Reinstated or Reopened 5 Transfe Another (specify)	r District Litigation	
	Cite the U.S. Civil Sta	tute under which you are	filing (Do not cite jurisdictional stat	tutes unless diversity):	
VI. CAUSE OF ACTIO	DN Brief description of ca	use:			
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 2	IS A CLASS ACTION 3, F.R.Cv.P.	DEMAND \$	CHECK YES only JURY DEMAND:	if demanded in complaint:
VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE			DOCKET NUMBER		
DATE SIGNATURE OF ATTORNEY OF RECORD					
FOR OFFICE USE ONLY					
RECEIPT # AM	MOUNT	APPLYING IFP	JUDGE	MAG. JUI	DGE

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: <u>Nature of Suit Code Descriptions</u>.
- 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 statute.

- 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.