CIVIL COVER SHEET

| I. (a) PLAINTIFFS | | | | DEFENDANTS | | | | | | |
|--|--|---|--|---|---|--|--|---|--|--|
| REED SMITH LLP | | | | DEPARTMENT OF HOMELAND SECURITY, and U.S. | | | | | | |
| 101 Second Street | Suite 180 | 0 | | CUSTOMS AND BORDER PROTECTION | | | | | | |
| San Francisco, CA | | | | 245 Murray Lane SW STOP-0655, | | | | | | |
| San Tancisco, CA 34 103-3033 | | | | Washington. DC 20598-0655 | | | | | + | |
| | | TED PLAINTIFF 88888 | | | | | | | _ | |
| (EXCEPT IN U.S. PLAINTIFF CASES) | | | | COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT 11001 (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVO | | | | | | |
| | | | | | | | | |) | |
| (c) ATTORNEYS (FIRMNA | AME, ADDRESS | S, AND TELEPHONE NUMBER |) | ATTORNEYS (IF KNOWN) | | | | | | |
| Daniel Z. Herbst (D | .C. Bar 50 | 1161) | | | | | | | | |
| REED SMITH LLP | | | | | | | | | | |
| 1301 K Street NW | | | | | | | | | | |
| Suite 1000 – East T | ower | | | | | | | | | |
| Machinatan DC 20 | 005 | | + | | | | | | | |
| II. BASIS OF JURISDICTION | | | III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR | | | | | | | |
| (PLACE AN x IN ONE BOX ONLY) | | | PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! | | | | | | | |
| 1 U.S. Government | 🔘 3 Fe | deral Question | | PTF DFT PTF | | | | | DFT | |
| Plaintiff | U. | S. Government Not a Party) | Citizen of | this State O 1 | O_1 | | ated or Principal Place | O ₄ | • 4 | |
| | | | | | | ofBusine | ess in This State | | | |
| 2 U.S. Government | O 4 Di | versity | Citizen of | Another State 0 2 | O 2 | Incomor | ated and Principal Place | O 5 | O 5 | |
| Defendant | | dicate Citizenship of | | U - Uncorpor | | | less in Another State | | | |
| | Pa | rties in item III) | Citizen or Subject of a $\bigcirc 3$ $\bigcirc 3$ | | | | | | | |
| | | | Foreign C | ountry | 0, | Foreign 1 | Nation | O 6 | O 6 | |
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| | • | IV. CASE ASSIG | | | | | | 、 、 | | |
| (Place an X | in one categ | ory, A-N, that best repres | sents your | Cause of Action at | id <u>one</u> in a | corresp | onding Nature of Suit |) | | |
| O A. Antitrust | | Personal Injury/ | 0 | C. Administrati | ve Agenc | y | O D. Temporal | | | |
| | M | lalpractice | | Review | | | Order/Preliminary | | | |
| 410 Antitrust | | | | 151 M. B | | | Injunction | ı | | |
| | | rplane | 151 Medicare Act | | | | | | | |
| | | rplane Product Liability sault, Libel & Slander | Soci | Social Security | | | Any nature of suit fro | | | |
| | | deral Employers Liability | 861 HIA (1395ff) | | | may be selected for this category of | | | | |
| | 340 M | | | 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI | | | case assignment. *(If Antitrust, then A governs)* | | | |
| | | arine Product Liability | | | | | | | | |
| | | otor Vehicle | | | | | | | | |
| | | | | 865 RSI (405(g)) | | | | | | |
| 1 | | otor Vehicle Product Lighili | ity 📃 | 865 RSI (405(g)) | | | | | | |
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| ○ G. Habeas Corpus/ 2255 □ 530 Habeas Corpus – General □ 510 Motion/Vacate Sentence □ 463 Habeas Corpus – Alien Detainee | H. Employment Discrimination 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) | I. FOIA/Privacy Act 895 Freedom of Information Act 890 Other Statutory Actions (if Privacy Act) | O J. Student Loan 152 Recovery of Defaulted Student Loan (excluding veterans) | | | | | | |
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| | *(If pro se, select this deck)* | *(If pro se, select this deck)* | | | | | | | |
| K. Labor/ERISA (non-employment) 710 Fair Labor Standards Act 720 Labor/Mgmt. Relations 740 Labor Railway Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act | L. Other Civil Rights (non-employment) 441 Voting (if not Voting Rights Act) 443 Housing/Accommodations 440 Other Civil Rights 445 Americans w/Disabilities – Employment 446 Americans w/Disabilities – Other 448 Education | M. Contract 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholder's Suits 190 Other Contracts 195 Contract Product Liability 196 Franchise | N. Three-Judge Court 441 Civil Rights – Voting (if Voting Rights Act) | | | | | | |
| V. ORIGIN | | | | | | | | | |
| I Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened Court 5 Transferred from another district (specify) 6 Multi-district 7 Appeal to District Judge from Mag. Judge 8 Multi-district Litigation – Direct File | | | | | | | | | |
| VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.) 5 U.S.C. § 552, DHS and CBP failure to substantively respond to FOIA request in statutory time limit. | | | | | | | | | |
| VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ JURY DEMAND: Check YES only if demanded in complaint YES NO | | | | | | | | | |
| 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:June 24, 2021 | SIGNATURE OF ATTORNEY OF REC | CORD /s/ Daniel | Z. Herbst | | | | | | |

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.