## Case 5:22-cv-0030 Cover Sheed 04/08/22 Page 1 of 2

JS 44 (Rev. 04/21)

|   |  |   | r supplement the filing and service of pleadings or other papers as required by law, except as f the United States in September 1974, is required for the use of the Clerk of Court for the <i>F THIS FORM.</i> ) DEFENDANTS   |   |   |
|---|--|---|--|---|---|
| <ul> <li>(b) County of Residence of First Listed Plaintiff<br/>(EXCEPT IN U.S. PLAINTIFF CASES)</li> <li>(c) Attorneys (Firm Name, Address, and Telephone Number)</li> </ul>  |  |   | County of Residence of First Listed Defendant<br>(IN U.S. PLAINTIFF CASES ONLY)<br>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF<br>THE TRACT OF LAND INVOLVED.<br>Attorneys (If Known)  |   |   |
|   |  |   | NTIZENSIID OF DE   | DINCIDAL DADTIES  | Place an "X" in One Box for Plaintiff   |
|   |  | ( <i>III.</i> C   | (For Diversity Cases Only)   | a   | and One Box for Defendant)  |
| U.S. Government<br>Plaintiff  | 3 Federal Question<br>(U.S. Government Not a Part  | <i>ty)</i> Cit  | PT<br>tizen of This State  |   |   |
| 2 U.S. Government<br>Defendant  | 4 Diversity<br>(Indicate Citizenship of Parti  |   | tizen of Another State   | 2 2 Incorporated and P<br>of Business In A  |   |
|   |  |   | tizen or Subject of a Sories Terrigin Country  | 3 3 Foreign Nation  | 6 6   |
| IV. NATURE OF SUIT  | (Place an "X" in One Box Only)<br>TORTS  |   | FORFEITURE/PENALTY   | Click here for: <u>Nature of S</u><br>BANKRUPTCY  | uit Code Descriptions.<br>OTHER STATUTES  |
| CONTRACT         110 Insurance         120 Marine         130 Miller Act         140 Negotiable Instrument         150 Recovery of Overpayment<br>& Enforcement of Judgment         151 Medicare Act         152 Recovery of Defaulted<br>Student Loans<br>(Excludes Veterans)         153 Recovery of Overpayment<br>of Veteran's Benefits         160 Stockholders' Suits         190 Other Contract         195 Contract Product Liability         196 Franchise         REAL PROPERTY         210 Land Condemnation         220 Foreclosure         230 Rent Lease & Ejectment         240 Torts to Land         245 Tort Product Liability         290 All Other Real Property | PERSONAL INJURY       PER         310 Airplane       365 P         315 Airplane Product       I         Liability       367 F         320 Assault, Libel &       P         Slander       P         330 Federal Employers'       P         Liability       368 A         340 Marine       I         345 Marine Product       I         Liability       9         So Motor Vehicle       370 C         350 Motor Vehicle       370 C         350 Motor Vehicle       370 C         350 Motor Vehicle       370 C         360 Other Personal       P         Injury       385 F         360 Other Personal       P         Medical Malpractice       P         CIVIL RIGHTS       PRISO         440 Other Civil Rights       Habe         441 Voting       463 A         442 Employment       510 N         Accommodations       530 C         445 Amer. w/Disabilities -       535 E         Employment       500 C         446 Amer. w/Disabilities -       540 N         Other       550 C         448 Education       550 F | SONAL INJURY Personal Injury - Product Liability lealth Care/ Pharmaceutical Personal Injury Product Liability Asbestos Personal Injury Product Liability ONAL PROPERTY Other Fraud Fruth in Lending Other Personal Property Damage Product Liability ENER PETITIONS Eas Corpus: Alien Detainee Motions to Vacate General Death Penalty Ir: | EXPERIENCE PERALTY     (625 Drug Related Seizure     of Property 21 USC 881     (690 Other      EXBOR     Tain Labor Standards     Act     720 Labor/Management     Relations     740 Railway Labor Act     751 Family and Medical     Leave Act     790 Other Labor Litigation     791 Employee Retirement     Income Security Act     IMMIGRATION     462 Naturalization Application     Actions | AVKNOFICY         422 Appeal 28 USC 158         423 Withdrawal         28 USC 157         INTELLECTUAL         PROPERTY RIGHTS         820 Copyrights         830 Patent         835 Patent - Abbreviated         New Drug Application         840 Trademark         880 Defend Trade Secrets         Act of 2016         SOCIAL SECURITY         861 HIA (1395ff)         862 Black Lung (923)         863 DIWC/DIWW (405(g))         864 SSID Title XVI         865 RSI (405(g))         FEDERAL TAX SUITS         870 Taxes (U.S. Plaintiff<br>or Defendant)         871 IRS—Third Party         26 USC 7609 | 375 False Claims Act         376 Qui Tam (31 USC         3729(a))         400 State Reapportionment         410 Antitrust         430 Banks and Banking         450 Commerce         460 Deportation         470 Racketeer Influenced and<br>Corrupt Organizations         480 Consumer Credit<br>(15 USC 1681 or 1692)         485 Telephone Consumer<br>Protection Act         490 Cable/Sat TV         850 Securities/Commodities/<br>Exchange         890 Other Statutory Actions         891 Agricultural Acts         895 Freedom of Information<br>Act         896 Arbitration         899 Administrative Procedure<br>Act/Review or Appeal of<br>Agency Decision         950 Constitutionality of<br>State Statutes |
|   | noved from 3 Remanded<br>te Court Appellate  | e Court Re  | (specify)  | District Litigation<br>Transfer   |   |
| VI. CAUSE OF ACTION   |  |   | , we not the jurisultional Sall  | nees unicos urersuy).   |   |
| VII. REQUESTED IN<br>COMPLAINT:   | CHECK IF THIS IS A CL<br>UNDER RULE 23, F.R.C  |   | DEMAND \$  | CHECK YES only<br>JURY DEMAND:  | if demanded in complaint:   |
| VIII. RELATED CASI<br>IF ANY  | E(S)<br>(See instructions):<br>JUDGE   |   |  | DOCKET NUMBER   |   |
| DATE SIGNATURE OF ATTORNEY OF RECORD  |  |   |  |   |   |
| FOR OFFICE USE ONLY       RECEIPT #AM   | 10UNT A  | APPLYING IFP  | JUDGE  | MAG. JUE  | 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.