

CIVIL COVER SHEET

The JS-CAND 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 in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kristin Lavelle

(b) County of Residence of First Listed Plaintiff **Alameda, CA**
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Waters Kraus & Paul El Segundo CA 90245
222 N. Pacific Coast Hwy 310-414-8146

DEFENDANTS

National Institutes of Health
County of Residence of First Listed Defendant **Bethesda, Maryland**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	625 Drug Related Seizure of Property 21 USC § 881	422 Appeal 28 USC § 158	375 False Claims Act
120 Marine	310 Airplane	690 Other	423 Withdrawal 28 USC § 157	376 Qui Tam (31 USC § 3729(a))
130 Miller Act	315 Airplane Product Liability			400 State Reapportionment
140 Negotiable Instrument	320 Assault, Libel & Slander			410 Antitrust
150 Recovery of Overpayment of Veteran's Benefits	330 Federal Employers' Liability	LABOR	PROPERTY RIGHTS	430 Banks and Banking
151 Medicare Act	340 Marine	710 Fair Labor Standards Act	820 Copyrights	450 Commerce
152 Recovery of Defaulted Student Loans (Excludes Veterans)	345 Marine Product Liability	720 Labor/Management Relations	830 Patent	460 Deportation
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	740 Railway Labor Act	835 Patent—Abbreviated New Drug Application	470 Racketeer Influenced & Corrupt Organizations
160 Stockholders' Suits	355 Motor Vehicle Product Liability	751 Family and Medical Leave Act	840 Trademark	480 Consumer Credit
190 Other Contract	360 Other Personal Injury	790 Other Labor Litigation	880 Defend Trade Secrets Act of 2016	485 Telephone Consumer Protection Act
195 Contract Product Liability	362 Personal Injury—Medical Malpractice	791 Employee Retirement Income Security Act	SOCIAL SECURITY	490 Cable/Sat TV
196 Franchise			861 HIA (1395ff)	850 Securities/Commodities/Exchange
	CIVIL RIGHTS	PRISONER PETITIONS	862 Black Lung (923)	890 Other Statutory Actions
	440 Other Civil Rights	HABEAS CORPUS	863 DIWC/DIWW (405(g))	891 Agricultural Acts
	441 Voting	463 Alien Detainee	864 SSID Title XVI	893 Environmental Matters
	442 Employment	510 Motions to Vacate Sentence	865 RSI (405(g))	895 Freedom of Information Act
	443 Housing/Accommodations	530 General	FEDERAL TAX SUITS	896 Arbitration
	445 Amer. w/Disabilities—Employment	535 Death Penalty	870 Taxes (U.S. Plaintiff or Defendant)	899 Administrative Procedure Act/Review or Appeal of Agency Decision
	446 Amer. w/Disabilities—Other	OTHER	871 IRS—Third Party 26 USC § 7609	950 Constitutionality of State Statutes
	448 Education	540 Mandamus & Other		
		550 Civil Rights		
		555 Prison Condition		
		560 Civil Detainee—Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation—Transfer
- 8 Multidistrict Litigation—Direct File

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Freedom of Information Act, 5 USC 552
Brief description of cause: **Defendant has wrongfully withheld documents**

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ JURY DEMAND: Yes No

VIII. RELATED CASE(S), IF ANY (See instructions): JUDGE **Hon. Edward Chen** DOCKET NUMBER **17-cv-02162-EMC**

IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2) (Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE

DATE **9/9/22** SIGNATURE OF ATTORNEY OF RECORD **MGA**