Case 1:22-cv-03052 Document 1-3 Filed 10/07/22 Page 1 of 2

CIVIL COVER SHEET

JS-44 (Rev. 11/2020 DC)								
I. (a) PLAINTIFFS				DEFENDANTS				
Vanda Pharmaceuticals, Inc.				Food and Drug Administration				
vanda i namiaoculloais, mo.				1 ood and Brug / tariiinionadon				
		11001						
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF 11001 (EXCEPT IN U.S. PLAINTIFF CASES)				COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT (IN U.S. PLAINTIFF CASES ONLY)				
			(IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED					
(c) ATTORNEYS (FIRM NA	ME, ADDRES	S, AND TELEPHONE NUMBER)	ATTORNEYS (IF KNOWN)				
Paul W. Hughes								
McDermott Will & E	mery II D							
500 North Capitol S		shington DC 20001						
	t invv, vva:	shington, DC 2000 i						
202-756-8000								
II. BASIS OF JURISI	DICTION		III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR					
(PLACE AN x IN ONE B			PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!					
			PTF DFT PTF DFT					
1 U.S. Government		deral Question	G1.1					
Plaintiff	(U.	S. Government Not a Party)	Citizen of	r	orated or Principal Place 4 4 horses in This State			
				of Busi	ness in This State			
2 U.S. Government		4 Diversity		Citizen of Another State				
Defendant		ndicate Citizenship of rties in item III)	of Busi		ness in Another State			
	Pa	rties in item 111)		Subject of a 3 3	Nation 0 6 0 6			
			Foreign Co	untry Foreign	Nation 0 6 0 6			
		TAL CLASE ACCIO		AND MARRIDE OF CHIE				
(DI V)				AND NATURE OF SUIT				
(Place an X	in one categ	ory, A-N, that best repres	sents your	Cause of Action and one in a corres	ponding Nature of Suit)			
O A. Antitrust	O B. 1	Personal Injury/	0	C. Administrative Agency	O D. Temporary Restraining			
	N	<i>lalpractice</i>		Review	Order/Preliminary			
410 Antitrust		-			Injunction			
410 Anditiust		rplane	151 Medicare Act		3			
	315 Ai	rplane Product Liability	Contain Committee					
	320 Assault, Libel & Slander		Conic	1 Committee	Any nature of suit from any category			
	320 As	sault, Libel & Slander		<u>ll Security</u> 861 HIA (1305ff)	Any nature of suit from any category may be selected for this category of			
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O G. Habeas Corpus/ 2255	O H. Employment Discrimination 442 Civil Rights – Employment	 I. FOIA/Privacy Act ■ 895 Freedom of Information Act 	J. Student Loan 152 Recovery of Defaulted				
530 Habeas Corpus – General 510 Motion/Vacate Sentence 463 Habeas Corpus – Alien Detainee	(criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation)	890 Other Statutory Actions (if Privacy Act)	Student Loan (excluding veterans)				
	(If pro se, select this deck)	*(If pro se, select this deck)*					
K. Labor/ERISA (non-employment) 710 Fair Labor Standards Act	L. Other Civil Rights (non-employment) 441 Voting (if not Voting Rights	M. Contract 110 Insurance 120 Marine	N. Three-Judge Court				
720 Labor/Mgmt. Relations	Act)	130 Miller Act	441 Civil Rights – Voting (if Voting Rights Act)				
740 Labor Railway Act 751 Family and Medical	443 Housing/Accommodations 440 Other Civil Rights	140 Negotiable Instrument 150 Recovery of Overpayment					
Leave Act 790 Other Labor Litigation	445 Americans w/Disabilities – Employment	& Enforcement of Judgment					
791 Empl. Ret. Inc. Security Act	446 Americans w/Disabilities – Other	153 Recovery of Overpayment					
	448 Education	of Veteran's Benefits 160 Stockholder's Suits					
		190 Other Contracts 195 Contract Product Liability					
		196 Franchise					
V. ORIGIN							
O 1 Original Proceeding from State Court C							
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- order the production of agency records improperly witheld							
VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ Check YES only if demanded in complaint YES NO X							
VIII. RELATED CASE(S) (See instruction) IF ANY (See instruction) YES NO If yes, please complete related case form							
DATE:10/07/2022	SIGNATURE OF ATTORNEY OF REC	CORD/s/ Paul W	. Hughes				

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 only 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.