Filed 11/21/23 Page 1 of 1 Case 3:23-cv-06041-T

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

Hayley M. Lenahan

- (b) County of Residence of First Listed Plaintiff (EXCÉPT IN U.S. PLAINTIFF CASES)
- (c) Attorneys (Firm Name, Address, and Telephone Number)

Jessica M. Takano/Hayley M. Lenahan, Donahue Fitzgerald LLP, 1999 Harrison St., 26th Fl., Oakland, CA 94612, (510) 451-3300

DEFENDANTS

U.S. Department of Health and Human Resources

County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

•	BASIS OF JURISDICTION (Place an "X" in One Box Only)	III.	CITIZENSHIP OF I (For Diversity Cases Only)	PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)						
				PTF	DEF		PTF	DEF		
1	U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)		Citizen of This State	1	1	Incorporated <i>or</i> Principal Place of Business In This State	4	4		
< 2	U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)		Citizen of Another State	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5		
	(matcae Catzenship of 1 araes in teen 111)		Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6		

NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT **TORTS** FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES 110 Insurance 625 Drug Related Seizure of 422 Appeal 28 USC § 158 375 False Claims Act PERSONAL INJURY PERSONAL INJURY Property 21 USC § 881 120 Marine 423 Withdrawal 28 USC 376 Qui Tam (31 USC 310 Airplane 365 Personal Injury - Product 690 Other § 3729(a)) 130 Miller Act Liability 315 Airplane Product Liability PROPERTY RIGHTS 400 State Reapportionment LABOR 140 Negotiable Instrument 367 Health Care/ 320 Assault, Libel & Slander Pharmaceutical Personal 410 Antitrust 150 Recovery of 330 Federal Employers' 710 Fair Labor Standards Act 820 Copyrights Injury Product Liability 430 Banks and Banking Overpayment Of Liability 720 Labor/Management 830 Patent 368 Asbestos Personal Injury Veteran's Benefits 450 Commerce 340 Marine Relations 835 Patent-Abbreviated New Product Liability 151 Medicare Act 460 Deportation 740 Railway Labor Act 345 Marine Product Liability Drug Application PERSONAL PROPERTY 152 Recovery of Defaulted 470 Racketeer Influenced & 350 Motor Vehicle 751 Family and Medical 840 Trademark Student Loans (Excludes 370 Other Fraud Corrupt Organizations 880 Defend Trade Secrets 355 Motor Vehicle Product Leave Act 371 Truth in Lending 480 Consumer Credit Act of 2016 790 Other Labor Litigation Liability 153 Recovery of 380 Other Personal Property 485 Telephone Consumer 791 Employee Retirement 360 Other Personal Injury SOCIAL SECURITY Overpayment Damage Protection Act Income Security Act 362 Personal Injury - Medical of Veteran's Benefits 861 HIA (1395ff) 385 Property Damage Product 490 Cable/Sat TV Malpractice 160 Stockholders' Suits IMMIGRATION 862 Black Lung (923) Liability 850 Securities/Commodities/ 190 Other Contract 462 Naturalization 863 DIWC/DIWW (405(g)) CIVIL RIGHTS PRISONER PETITIONS Exchange Application 195 Contract Product Liability 864 SSID Title XVI 890 Other Statutory Actions 440 Other Civil Rights HABEAS CORPUS 465 Other Immigration 196 Franchise 865 RSI (405(g)) 891 Agricultural Acts 441 Voting 463 Alien Detainee Actions REAL PROPERTY FEDERAL TAX SUITS 893 Environmental Matters 442 Employment 510 Motions to Vacate ★ 895 Freedom of Information 210 Land Condemnation 443 Housing/ Sentence 870 Taxes (U.S. Plaintiff or Defendant) Accommodations 530 General 220 Foreclosure 896 Arbitration 871 IRS-Third Party 26 USC 445 Amer, w/Disabilities-535 Death Penalty 230 Rent Lease & Ejectment 899 Administrative Procedure Employment § 7609 240 Torts to Land OTHER Act/Review or Appeal of 446 Amer. w/Disabilities-Other 245 Tort Product Liability 540 Mandamus & Other Agency Decision 448 Education 290 All Other Real Property 550 Civil Rights 950 Constitutionality of State 555 Prison Condition Statutes 560 Civil Detainee-Conditions of Confinement ODICIN (D)

٧.	ORIGIN (Plac	ce an	X" in One Box Only)										
\times 1	Original	2	Removed from	3	Remanded from	4	Reinstated or	5	Transferred from	6	Multidistrict	8	Multidistrict
	Proceeding		State Court		Appellate Court		Reopened		Another District (specify)		Litigation-Transfer		Litigation-Direct File

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): CAUSE OF 5 U.S.C. § 552 ACTION

Brief description of cause:

HHS has failed to comply with the FOIA time limits and has improperly withhld records responsive to two FOIA requests.

REOUESTED IN CHECK IF THIS IS A CLASS ACTION **DEMAND S** CHECK YES only if demanded in complaint: UNDER RULE 23, Fed. R. Civ. P. JURY DEMAND: Yes **COMPLAINT:**

VIII. RELATED CASE(S), JUDGE DOCKET NUMBER **IF ANY** (See instructions):

DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)

× SAN FRANCISCO/OAKLAND SAN JOSE **EUREKA-MCKINLEYVILLE** (Place an "X" in One Box Only)

Hayley M. Lenahan