$_{ m JS~44~(Rev.~10/2)}$ case 3:23-cv-02251-AJB-DER TYPEUMON TER STIPPER 10/208/23 Page 1 of 2

The JS 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 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. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I (-) DI AINTELEEC		DEFENDAN	TTC							
I. (a) PLAINTIFFS VOICE OF SAN DIEGO and MACKENZIE ELMER				DEFENDANTS U.S. INTERNATIONAL BOUNDARY AND WATER COMMISSION; U.S. DEPARTMENT OF STATE						
(b) County of Residence of First Listed Plaintiff San Diego (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant El Paso, Texas						
(EACEFI IN U.S. FLAINTIFF CASES)				(IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.						
(c) Attorneys (Firm Name, Address, and Telephone Number) Davis Wright Tremaine LLP (415) 276-6500 50 California Street, Suite 2300 San Francisco. CA 94111				Attorneys (If Known) 23 CV2251 AJB DEB						
II. BASIS OF JURISDI		On a Raw Only)	ш сг	 FIZENSHID ()	F DDIN	NCIDA	I DADTIES /	ni "v":	O B C	DI : (:07
1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)			(For Diversity Cases O						
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)		Citize	en of Another State	2	of Business In Another State			5	
N/ NATURE OF CHIT				en or Subject of a reign Country	Foreign Nation	6 6				
IV. NATURE OF SUIT (Place an "X" in One Box Only)				Click here for: Nature of Suit Code Description						
CONTRACT				FORFEITURE/PENALTY			KRUPTCY	375 False Claims Act		
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment 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 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury - Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other 448 Education	PERSONAL INJURY 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPERT 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage Product Liability PRISONER PETITION Habeas Corpus: 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty Other: 540 Mandamus & Othe 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of	74 75 79 79	5 Drug Related Seizure of Property 21 USC 8 0 Other LABOR 0 Fair Labor Standards Act 0 Labor/Management Relations 0 Railway Labor Act 1 Family and Medical Leave Act 0 Other Labor Litigation 1 Employee Retirement Income Security Act IMMIGRATION 2 Naturalization Applic 5 Other Immigration Actions	881	423 With 28 U PROPER 820 Cop 830 Pate 835 Pate New 840 Trac 880 Defe Act SOCIA 861 HIA 862 Blac 863 DIW 864 SSII 865 RSI FEDER/ 870 TRS-	ETY RIGHTS yrights nt nt - Abbreviated r Drug Application lemark end Trade Secrets of 2016 L SECURITY (1395ff) kk Lung (923) /C/DIWW (405(g)) D Title XVI	376 Qui Ta 3729(a 400 State R 410 Antitru 430 Banks 450 Comm 460 Deport 470 Racket Corrup 480 Consui (15 US) 485 Teleph Protec 490 Cable/5 850 Securit Exchai 890 Other S 891 Agricu 893 Envirod Act 896 Arbitra 899 Admin Act/Re	m (31 USC) (a) (b) (c) (c) (c) (c) (c) (c) (c	mment ng nced and tions 1692) mer odities/ actions atters mation rocedure opeal of
V ODICIN or "V".	0. 0.1)	Confinement								
"	noved from 3	Appellate Court	4 Reins Reop	ened And	ansferred other Di ecify)	strict	6 Multidistri Litigation Transfer		Multidis Litigatio Direct F	n -
VI. CAUSE OF ACTIO	DN 5 U.S.C. § 552 et seq. Brief description of ca		e filing (I	Oo not cite jurisdictiona	al statutes	s unless di	versity):			
VII. REQUESTED IN COMPLAINT: VII. REQUESTED IN UNDER RULE 23, F.R.Cv.P.				DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No						nt:
VIII. RELATED CASE IF ANY	(See instructions):	JUDGE				DOCK	ET NUMBER			
DATE		SIGNATURE OF ATT	ORNEY C	OF RECORD						
December 8, 2023		/s/ Thomas R. Burke								
FOR OFFICE USE ONLY										
RECEIPT # AM	MOUNT	APPLYING IFP		JUDG	ìΕ		MAG. JUD	OGE		

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: Nature of Suit Code Descriptions.
- 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 statue.

- 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.