## JS 44 (Rev. 10/20) Case 3:24-cv-00119-LL-JLBC 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.)* 

purpose of initiating the civit d	Scket sheet. (SEE INSTRUC	TIONS ON NEXT PAGE C	JF THIS FO								
I. (a) PLAINTIFFS			_	DEFENDAN	NTS						
Estate of Ashli Babbitt and Aaron Babbitt individually a on behalf of the Estate of Ashli Babbitt				U.S. Department of Justice							
(b) County of Residence of First Listed Plaintiff San Diego				County of Residence of First Listed Defendant							
(EXCEPT IN U.S. PLAINTIFF CASES)				<i>(IN U.S. PLAINTIFF CASES ONLY)</i> NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.							
(c) Attorneys (Firm Name, .	Address and Telephone Number	-)		Attorneys (If Kn							
(c) Attorneys (Firm Name, Address, and Telephone Number) Robert Patrick Sticht, Judicial Watch, Inc., 425 Third S				•			'24CV0119 LL JLB				
SW Suite 800 Washington DC 20024, 202-646-5172				Unknown							
II. BASIS OF JURISD	ICTION (Place an "X" in (	One Box Only)	III. CI	<b>FIZENSHIP O</b> (For Diversity Cases (		NCIPA		Place an "X" in nd One Box for 1			
1 U.S. Government Plaintiff	X 3 Federal Question (U.S. Government Not a Party)		Citizo	Citizen of This State		<b>DEF</b> 1	Incorporated <i>or</i> Pri of Business In T		<b>PTF 4</b>	DEF X4	
2 U.S. Government Defendant			Citiz	en of Another State	2	2	Incorporated and P of Business In A		5	5	
				en or Subject of a reign Country	3	3	Foreign Nation		6	6	
IV. NATURE OF SUIT		Click here for: <u>Nature of Suit Code Descriptions</u> .									
				FORFEITURE/PENALTY			KRUPTCY	OTHER STATUTES			
110 Insurance         120 Marine         130 Miller Act         140 Negotiable Instrument         150 Recovery of Overpayment	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel &	PERSONAL INJUR 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical		5 Drug Related Seizur of Property 21 USC 0 Other		422 Appeal 28 USC 158       375 False Claims Act         423 Withdrawal       376 Qui Tam (31 USC         28 USC 157       3729(a))         400 State Reapportionmer         PROPERTY RIGHTS       410 Antitrust			C		
& Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans)	330 Federal Employers' Liability 340 Marine 345 Marine Product	Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability				820 Copyrights 830 Patent 835 Patent - Abbreviated New Drug Application 840 Trademark		430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations			
153 Recovery of Overpayment of Veteran's Benefits	Liability PERSONAL PROPER' 350 Motor Vehicle 370 Other Fraud			Y LABOR 710 Fair Labor Standards		880 Defend Trade Secrets Act of 2016		480 Consumer Credit (15 USC 1681 or 1692)			
160 Stockholders' Suits 190 Other Contract	355 Motor Vehicle	371 Truth in Lending		Act 0 Labor/Management		SOCIAL SECURITY		485 Telephone Consumer Protection Act			
190 Other Contract	Product Liability 360 Other Personal	380 Other Personal Property Damage	$\square^{\prime 2}$	Relations		SOCIAL SECURITY 861 HIA (1395ff)		490 Cable/			
196 Franchise	Injury 362 Personal Injury -	385 Property Damage Product Liability	740 Railway Labor Act 751 Family and Medical				ck Lung (923) /C/DIWW (405(g))	850 Securit Excha		odities/	
	Medical Malpractice	-		Leave Act			D Title XVI	890 Other		Actions	
REAL PROPERTY 210 Land Condemnation	CIVIL RIGHTS 440 Other Civil Rights	PRISONER PETITION Habeas Corpus:		0 Other Labor Litigation 1 Employee Retirement		865 RSI	(405(g))	891 Agricu 893 Enviro			
220 Foreclosure	441 Voting	463 Alien Detainee		Income Security Act		FEDER	AL TAX SUITS	× 895 Freedo			
230 Rent Lease & Ejectment 240 Torts to Land	442 Employment 443 Housing/	510 Motions to Vacate Sentence	•				es (U.S. Plaintiff Defendant)	Act 896 Arbitra	ation		
240 Torts to Land 245 Tort Product Liability	Accommodations	530 General				-	—Third Party	890 Arbitra 899 Admin		rocedure	
290 All Other Real Property	445 Amer. w/Disabilities - 535 Death Penalty Employment <b>Other:</b> 446 Amer. w/Disabilities - 540 Mandamus & Othe			IMMIGRATION		26	USC 7609	Act/Review or Appeal of			
				462 Naturalization Application 465 Other Immigration				Agency Decision 950 Constitutionality of			
	Other 448 Education	550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement		Actions				State S	tatutes		
V. ORIGIN (Place an "X" i	n One Box Only)				I			1			
x 1 Original □ 2 Rea	moved from 3 H	Remanded from Appellate Court		ened A	ransferre nother D <i>pecify)</i>		6 Multidistri Litigation Transfer		Multidis Litigatio Direct F	on -	
	Cite the U.S. Civil Stat 5 USC 552	tute under which you a	re filing (1	Do not cite jurisdiction	al statute	s unless di	versity):				
VI. CAUSE OF ACTIO	DN Brief description of car	use:									
	Compel compliance with	h Freedom of Informatio									
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 23	IS A <b>CLASS ACTION</b> 3, F.R.Cv.P.	N D	EMAND \$			HECK YES only i U <b>RY DEMAND:</b>	if demanded in Yes	n complai X No	nt:	
VIII. RELATED CASI IF ANY	(See instructions):	JUDGE				DOCK	ET NUMBER				
DATE 01/17/2024	SIGNATURE OF ATTORNEY OF RECORD /s/ Robert Patrick Sticht.										
FOR OFFICE USE ONLY											
	MOUNT	APPLYING IFP		JUDO	GE		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: <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 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.