JS 44 (Rev. 04/2) ase 3:24-cv-00531-DMS-BG are current from the strenger 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. (a) PLAINTIFFS		DEFENDANTS	DEFENDANTS		
SAN DIEGO COMPREHENSIVE PAIN MANAGEMENT		NT UNITED STATE	UNITED STATES DEPARTMENT OF HEALTH & HUMAN		
(b) County of Residence of	of First Listed Plaintiff SAN DIEGO	County of Residence	County of Residence of First Listed Defendant Washington		
(EXCEPT IN U.S. PLAINTIFF CASES)		NOTE: IN LAND CO THE TRACT	(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)		Attorneys (If Known)	Attorneys (If Known) '24CV0531 DMS BGS		
Matthew D. Rifat, Esq., Post Office Box 19879, San			240 V 053 T DIVIS	000	
Diego, Californi	a 92159; Tel.: (619) 708-3675				
II. BASIS OF JURISD	ICTION (Place an "X" in One Box Only)		RINCIPAL PARTIES (Place		
1 U.S. Government Plaintiff	3 Federal Question (U.S. Government Not a Party)	(For Diversity Cases Only) PI Citizen of This State	TF DEF		
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	2 2 Incorporated <i>and</i> Princi of Business In Anoth		
		Foreign Country	3 3 Foreign Nation	6 6	
IV. NATURE OF SUIT	(Place an "X" in One Box Only) TORTS	FORFEITURE/PENALTY	Click here for: Nature of Suit BANKRUPTCY	OTHER STATUTES	
110 Insurance	PERSONAL INJURY PERSONAL INJURY		422 Appeal 28 USC 158	375 False Claims Act	
120 Marine 130 Miller Act	310 Airplane 365 Personal Injury - Product Liability	of Property 21 USC 881 690 Other	423 Withdrawal 28 USC 157	376 Qui Tam (31 USC 3729(a))	
140 Negotiable Instrument	Liability 367 Health Care/		INTELLECTUAL	400 State Reapportionment	
150 Recovery of Overpayment & Enforcement of Judgment	320 Assault, Libel & Pharmaceutical Slander Personal Injury		PROPERTY RIGHTS 820 Copyrights	410 Antitrust 430 Banks and Banking	
151 Medicare Act	330 Federal Employers' Product Liability		830 Patent	450 Commerce	
152 Recovery of Defaulted Student Loans	Liability 368 Asbestos Personal 340 Marine Injury Product		835 Patent - Abbreviated New Drug Application	460 Deportation 470 Racketeer Influenced and	
(Excludes Veterans)	345 Marine Product Liability Liability PERSONAL PROPERT	TY LABOR	840 Trademark	Corrupt Organizations 480 Consumer Credit	
of Veteran's Benefits	350 Motor Vehicle 370 Other Fraud	710 Fair Labor Standards	Act of 2016	(15 USC 1681 or 1692)	
160 Stockholders' Suits	355 Motor Vehicle 371 Truth in Lending Product Liability 380 Other Personal	Act 720 Labor/Management	SOCIAL SECURITY	485 Telephone Consumer Protection Act	
195 Contract Product Liability	360 Other Personal Property Damage	Relations	861 HIA (1395ff)	490 Cable/Sat TV	
196 Franchise	Injury 385 Property Damage 362 Personal Injury - Product Liability	740 Railway Labor Act 751 Family and Medical	862 Black Lung (923) 863 DIWC/DIWW (405(g))	850 Securities/Commodities/ Exchange	
REAL PROPERTY	Medical Malpractice CIVIL RIGHTS PRISONER PETITION	Leave Act 790 Other Labor Litigation	864 SSID Title XVI	890 Other Statutory Actions	
210 Land Condemnation	440 Other Civil Rights Habeas Corpus:	791 Employee Retirement	865 RSI (405(g))	891 Agricultural Acts 893 Environmental Matters	
220 Foreclosure 230 Rent Lease & Ejectment	441 Voting 463 Alien Detainee 442 Employment 510 Motions to Vacate	Income Security Act	FEDERAL TAX SUITS × 870 Taxes (U.S. Plaintiff	895 Freedom of Information Act	
240 Torts to Land	443 Housing/ Sentence		or Defendant)	896 Arbitration	
245 Tort Product Liability 290 All Other Real Property	Accommodations 530 General 445 Amer. w/Disabilities - 535 Death Penalty	IMMIGRATION	871 IRS—Third Party 26 USC 7609	899 Administrative Procedure Act/Review or Appeal of	
	Employment Other:	462 Naturalization Application	1	Agency Decision	
	446 Amer. w/Disabilities - 540 Mandamus & Othe Other 550 Civil Rights	er 465 Other Immigration Actions		950 Constitutionality of State Statutes	
	448 Education 555 Prison Condition 560 Civil Detainee -				
	Conditions of				
V. ORIGIN (Place an "X" in	n One Box Only)				
■ 1 Original 2 Ren	noved from 3 Remanded from	4 Reinstated or 5 Transfe		8 Multidistrict	
Proceeding Star	te Court Appellate Court	Reopened Another	r District Litigation - (7) Transfer	Litigation - Direct File	
	Cite the U.S. Civil Statute under which you ar	1 55	/	Direct The	
VI. CAUSE OF ACTIO	DN 5 U.S.C. § 552				
	Brief description of cause: Violation of FOIA				
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.	DEMAND \$ N/A	CHECK YES only if de JURY DEMAND:	emanded in complaint: Yes XNo	
VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE Hon. Cynthia Bashant DOCKET NUMBER 3:22-cv-01521					
DATE SIGNATURE OF ATTORNEY OF RECORD					
March 20, 2024 /s/Matthew D. Rifat					
FOR OFFICE USE ONLY					
RECEIPT #AMOUNT APPLYING IFPJUDGEMAG. JUDGE					

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 statute.

- 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.