Case 1:17-cv-01906-CKK Document 1-5 Filed 09/18/17 Page 1 of 2 CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)											-		
I. (a) PLAINTIFFS				DEFENDANTS									
SIERRA CLUB					UNITED STATES ENVIRONMENTAL PROTECTION AGENCY								
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF 888888 (EXCEPT IN U.S. PLAINTIFF CASES)				COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT 11001 (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND I						/ED			
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)				ATTORNEYS (IF KNOWN)									
MATTHEW E. MILLER, SIERRA CLUB 50 F STREET N.W., 8TH FLOOR WASHINGTON, DC 20001 202-650-6069													
II. BASIS OF JURISDICTION				III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR									
(PLACE AN x IN ONE BO	PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! PTF DFT							PTF	DFT				
O 1 U.S. Government Plaintiff		deral Question S. Government Not a Party)	Citizen	of this S	State	O^1	O_1		ated or Principal Place ess in This State	O 4	O 4		
2 U.S. Government Defendant	(In	versity dicate Citizenship of	Citizen	of Anot	ther State	O 2	O 2		ated and Principal Place ess in Another State	O 5	O ⁵		
	Pa	Parties in item III)		Citizen or Subj Foreign Countr		O 3	O 3		reign Nation		O 6		
IV. CASE ASSIGNMENT AND NATURE OF SUIT (Place an X in one category, A-N, that best represents your Cause of Action and <u>one</u> in a corresponding Nature of Suit)													
O A. Antitrust	О В. Р М	0		C. Administrative Agency Review			O D. Temporary Restraining Order/Preliminary						
410 Antitrust	🗌 310 Ai	rplane	151 Medicare Act					Injunction					
	315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers Liability 340 Marine			Social Security 861 HIA (1395ff) 862 Black Lung (923)					Any nature of suit from any category may be selected for this category of case assignment.				
	🔲 350 M	arine Product Liability otor Vehicle otor Vehicle Product Liabili		864 865	SSID Titl RSI (405(*(If Antitrust, then A governs)*				
	360 O 1	360 Other Personal Injury			Other Statutes 891 Agricultural Acts								
	362 Medical Malpractice 365 Product Liability 367 Health Care/Pharmaceutical Personal Injury Product Liabi 368 Asbestos Product Liability				Environn Other Sta								
					Other Sta Administ								
					Involved)								
O E. General Civi	il (Other)	OR		0	F. Pro	o Se Gen	ieral Ci	ivil					
Real Property						Tax Suits		00	462 Naturalizat				
210 Land Condemna 220 Foreclosure	ation	422 Appeal 27 USC 1 423 Withdrawal 28 U			870 Taxes (US plaintiff or defendant)			Application 465 Other Imm					
230 Rent, Lease & Ejectment					871 IRS-Third Party 26 USC 7609			Actions					
240 Torts to Land Prisoner Petitions 245 Tort Product Liability 535 Death Penalty								470 Racketeer Influenced & Corrupt Organization					
290 All Other Real Property					Forfeiture/Penalty 625 Drug Related Seizure of Property 21 USC 881			480 Consumer Credit					
Personal Property 550 Civil Rights 555 Prison Condition								490 Cable/Satellite TV					
370 Other Fraud 560 Civil Detainee – C					690 Other			850 Securities/Commodities/ Exchange					
371 Truth in Lending of Confinement 380 Other Personal Property of Confinement					Other Statutes			896 Arbitration					
Damage Property Rights					 375 False Claims Act 376 Qui Tam (31 USC 3729(a)) 400 State Reapportionment 430 Banks & Banking 				899 Administrative Procedure Act/Review or Appeal of Agency Decision				
Product Liability 830 Patent Abbrev		820 Copyrights 830 Patent											
			r						950 Constitutionality of State Statutes				
Drug Application B40 Trademark			1		450 Commerce/ICC				890 Other Statu	890 Other Statutory Actions			
					Rates/etc.			(if not administrative agency review or Privacy Act)					
						Deporta	uon			intacy ii	(1)		

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 ○ G. Habeas Corpus/ 2255 □ 530 Habeas Corpus – General □ 510 Motion/Vacate Sentence □ 463 Habeas Corpus – Alien Detainee 	2255 Discrimination 0 Habeas Corpus – General 442 Civil Rights – Employment 0 Motion/Vacate Sentence (criteria: race, gender/sex, national origin, 3 Habeas Corpus – Alien Livit for the livit		O J. Student Loan Act 152 Recovery of Defaulted 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 720 Labor/Mgmt. Relations 740 Labor Railway Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Empl. Ret. Inc. Security Act 	 L. Other Civil Rights (non-employment) 441 Voting (if not Voting Rights Act) 443 Housing/Accommodations 440 Other Civil Rights 445 Americans w/Disabilities – Employment 446 Americans w/Disabilities – Other 448 Education 	 M. Contract 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholder's Suits 190 Other Contracts 195 Contract Product Liability 196 Franchise 	 N. Three-Judge Court 441 Civil Rights – Voting (if Voting Rights Act) 							
V. ORIGIN										
 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened Court 5 Transferred from another district (specify) 6 Multi-district 7 Appeal to District Judge from Mag. Judge 8 Multi-district Litigation – Direct File 										
VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.) 05:0552FI 05:552 Freedom of Information Act										
VII. REQUESTED IN COMPLAINT	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND	\$Check T RY DEMAND:YES	YES only if demanded in complaint							
VIII. RELATED CASE(S) IF ANY	(See instruction) YES	NO K If yes, p	please complete related case form							
DATE:9/18/2017	SIGNATURE OF ATTORNEY OF REC	ORD /s/ Matthew E. Miller								

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 <u>only</u> 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.