JS-CAND 44 (Rev. 06/17) Case 3:18-cv-04715-MEL Document 1-5 Filed 08/06/18 Page 1 of 2

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) SIE	PLAINTIFFS ERRA CLUB and ENVIRONMENTAL DEFENSE	DEFENDANTS UNITED STATES DEPARTMENT OF ENERGY							
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)			County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.						
(c) (see	Attorneys (Firm Name, Address, and Telephone Number) e attachment)		Attorneys (I		I OF LA				
II.	BASIS OF JURISDICTION (Place an "X" in One Box Only)		FIZENSHIP r Diversity Cases (INCI	PAL PA	ARTIES (Place an "X" in One Bo and One Box for Defend		aintiff
			-		PTF	DEF		PTF	DEF
1	U.S. Government Plaintiff 3 Federal Question (U.S. Government Not a Party)	Citize	en of This State		1	1	Incorporated <i>or</i> Principal Place of Business In This State	4	4
\mathbf{X}_2	U.S. Government Defendant 4 Diversity (Indicate Citizenship of Parties in Item III)		en of Another State	2	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
	(matche Chizenship of Farites in tiem 11)		en or Subject of a gn Country		3	3	Foreign Nation	6	6

NATURE OF SUIT (Place an "X" in One Box Only) IV. 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 \$ 157 § 3729(a)) 130 Miller Act Liability 315 Airplane Product Liability 400 State Reapportionment LABOR PROPERTY RIGHTS 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 345 Marine Product Liability 740 Railway Labor Act 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 355 Motor Vehicle Product Leave Act SOCIAL SECURITY Veterans) 371 Truth in Lending 480 Consumer Credit 790 Other Labor Litigation Liability 153 Recovery of 861 HIA (1395ff) 380 Other Personal Property 490 Cable/Sat TV 360 Other Personal Injury 791 Employee Retirement Overpayment Damage 862 Black Lung (923) Income Security Act 850 Securities/Commodities/ 362 Personal Injury -Medical of Veteran's Benefits 385 Property Damage Product Exchange 863 DIWC/DIWW (405(g)) Malpractice 160 Stockholders' Suits IMMIGRATION Liability 864 SSID Title XVI 890 Other Statutory Actions 190 Other Contract 462 Naturalization CIVIL RIGHTS PRISONER PETITIONS 865 RSI (405(g)) 891 Agricultural Acts Application 195 Contract Product Liability 893 Environmental Matters 440 Other Civil Rights HABEAS CORPUS FEDERAL TAX SUITS 465 Other Immigration 196 Franchise ✗ 895 Freedom of Information 441 Voting 463 Alien Detainee Actions 870 Taxes (U.S. Plaintiff or REAL PROPERTY Act 442 Employment 510 Motions to Vacate Defendant) 896 Arbitration 210 Land Condemnation 443 Housing/ Sentence 871 IRS-Third Party 26 USC 899 Administrative Procedure Accommodations 530 General 220 Foreclosure \$ 7609 Act/Review or Appeal of 445 Amer, w/Disabilities-535 Death Penalty 230 Rent Lease & Ejectment Agency Decision Employment 240 Torts to Land OTHER 950 Constitutionality of State 446 Amer. w/Disabilities-Other 245 Tort Product Liability 540 Mandamus & Other Statutes 448 Education 290 All Other Real Property 550 Civil Rights 555 Prison Condition 560 Civil Detainee-Conditions of Confinement V. **ORIGIN** (Place an "X" in One Box Only) Original Removed from Remanded from Multidistrict 8 Multidistrict $\times 1$ 2 3 4 Reinstated or 5 Transferred from 6 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): VI. CAUSE OF 5 U.S.C. § 552 ACTION Brief description of cause: Relief for violations of the Freedom of Information Act, 5 U.S.C. § 552 by US DOE VII. **REOUESTED IN DEMAND \$** CHECK IF THIS IS A CLASS ACTION CHECK YES only if demanded in complaint: UNDER RULE 23, Fed. R. Civ. P. JURY DEMAND: Yes × No **COMPLAINT:**

VIII. RELATED CASE(S), IF ANY (See instructions):	JUDGE	DOCKET NUMBER								
IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2)										
(Place an "X" in One Box Only)	× SAN FRANCISCO/OAKLAND	SAN JOSE	EUREKA-MCKINLEYVILLE							

SIGNATURE OF ATTORNEY OF RECORD

ATTACHMENT

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