## Case 1:18-cv-12399 Decement 12 Filed 11/16/18 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. (a) PLAINTIFFS				DEFENDANTS						
National Consumer Law Center				U.S. Department of Education						
(b) County of Residence of First Listed Plaintiff Suffolk (EXCEPT IN U.S. PLAINTIFF CASES)				County of Residence of First Listed Defendant District of Columbia (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)						
Persis Yu, NCLC 7 Winthrop Sq., Fl.4 Bost	ton, MA 02110, 617-54	42-8010								
II. BASIS OF JURISDICTION (Place an "X" in One Box Only)				TIZENSHIP OF P	RINCIPAL PA	ARTIES				
□ 1 U.S. Government Plaintiff	<ul> <li>Government Not a Party)</li> </ul>			(For Diversity Cases Only) and One Box for Defendant) PTF DEF Titizen of This State 1 1 1 Incorporated or Principal Place 4 4 4 of Business In This State						
▲ 2 U.S. Government Defendant	□ 4 Diversity (Indicate Citizenship of Parties in Item III)				2 🖸 2 Incorporated <i>and</i> Principal Place of Business In Another State			□ 5	□ 5	
				Citizen or Subject of a Foreign Country						
IV. NATURE OF SUIT (Place an "X" in One Box Only) CONTRACT TORTS			E.	Click here for: <u>Nature of Suit Code Descriptions</u> . FORFEITURE/PENALTY BANKRUPTCY OTHER STATUTES						
<ul> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>CONTINET</li> <li>Contract</li> <li>Contract Product Liability</li> <li>Contract Product Liability</li> <li>Contract Condemnation</li> <li>Contract Description</li> <li>Contract Product Liability</li> <li>Contract Description</li> <li>Contract Product Liability</li> <li>Contract Description</li> <li>Contract Product Liability</li> <li>Contract Description</li> <li>Contract Description</li> <li>Contract Product Liability</li> <li>Contract Description</li> <li>Contract Description</li></ul>	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel &	PERSONAL INJUR 365 Personal Injury - Product Liability 367 Health Care/ Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability PERSONAL PROPEF 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 & Oth 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement	Y     0     62       I     0     69       I     0     71       I     71       I     72       I     74       I     75       I     79       I     79       I     79	25 Drug Related Seizure of Property 21 USC 881 00 Other 10 Fair Labor Standards Act 20 Labor/Management Relations 10 Railway Labor Act 21 Family and Medical Leave Act 20 Other Labor Litigation 21 Employee Retirement Income Security Act 22 Naturalization Application 25 Other Immigration Actions	<ul> <li>422 Appeal 28 U</li> <li>423 Withdrawal 28 USC 157</li> <li>PROPERTY RI</li> <li>820 Copyrights</li> <li>830 Patent</li> <li>835 Patent - Abb New Drug A</li> <li>840 Trademark</li> <li>SOCIAL SECU</li> <li>861 HIA (1395ff</li> <li>862 Black Lung</li> <li>863 DIWC/DIW</li> <li>864 SSID Title X</li> <li>865 RSI (405(g))</li> <li>FEDERAL TAX</li> <li>870 Taxes (U.S. or Defendan</li> <li>871 IRS—Third 26 USC 760</li> </ul>	SC 158 (GHTS reviated pplication RITY ) (923) W (405(g)) (VI ) X SUITS Plaintiff t) Party	<ul> <li>☐ 375 False Cl</li> <li>☐ 376 Qui Tan 3729(a)</li> <li>☐ 400 State Re</li> <li>☐ 410 Antitrus</li> <li>☐ 430 Banks au</li> <li>☐ 450 Commet</li> <li>☐ 460 Deportat</li> <li>☐ 470 Racketer Corrupt</li> <li>☐ 480 Consum</li> <li>☐ 480 Consum</li> <li>☐ 480 Consum</li> <li>☐ 480 Cable/St</li> <li>☐ 850 Sceuritic Exchang</li> <li>☐ 890 Other St</li> <li>☐ 891 Agricult</li> <li>☐ 895 Freedon Act</li> <li>☐ 899 Adminis Sey Act/Rev</li> </ul>	aims Act a (31 USC apportionnt t apportionnt t and Banking cce er Influenc Organizati er Credit ne Consum on Act at TV ss/Common ge atutory Act ural Acts a of Inform on trative Proi ew or App Decision	nent g ed and ons ner dities/ ions tters nation scedure peal of	
		Remanded from [ Appellate Court	J 4 Rein Reoj		er District	Multidistr Litigation	-	Multidis Litigatio	n -	
VI. CAUSE OF ACTIO	<b>DN</b> 5 U.S.C. § 552 Brief description of ca	•	re filing (I	(specify) Do not cite jurisdictional stat		Transfer :		Direct Fil		
VII. REQUESTED IN COMPLAINT:CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.			N D	DEMAND \$       CHECK YES only if demanded in complaint:         JURY DEMAND:       Yes       Xi No						
VIII. RELATED CASH IF ANY	SE(S) (See instructions): JUDGE			DOCKET NUMBER						
DATE 11/16/2018	SIGNATURE OF ATTORNEY OF RECORD Persis Yu									
FOR OFFICE USE ONLY         RECEIPT #       AN	10UNT	APPLYING IFP		JUDGE		MAG. JUD	DGE			

## **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. When the petition for removal is granted, check this box.

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.