## Case 1:19-cv-02977 Document 1-1 Filed 10/03/19 Page 1 of 2

CIVIL	COVER	SHEET
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JS-44 (Rev. 6/17 DC)		01,									
I. (a) PLAINTIFFS				D	EFENDA	NTS					
MONTANA ENVIRONMENTAL INFORMATION CENTE			INTEF		UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT						
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF 88888 (EXCEPT IN U.S. PLAINTIFF CASES)			3	COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT							
(c) ATTORNEYS (FIRM NA	ME, ADDRESS	, AND TELEPHONE NUMBER)		A	TTORNEYS	(IF KNOW	/N)				
John R. Mellgren Western Environmental Law Center 120 Shelton McMurphey Blvd., Ste. 340 Eugene, OR 97401 (541) 359-0990											
II. BASIS OF JURISD (PLACE AN x IN ONE B									S (PLACE AN x IN ONE I ERSITY CASES ONLY!	BOX FOR	
O 1 U.S. Government Plaintiff	O 3 Fe	deral Question S. Government Not a Party)		n of this		PTF O 1	DFT O 1	Incorpor	ated or Principal Place	PTF O 4	DFT O 4
2 U.S. Government     Defendant		4 Diversity (Indicate Citizenship of Parties in item III)			other State	<b>O</b> <sup>2</sup>	<b>O</b> <sup>2</sup>	Incorpor	ated and Principal Place ess in Another State	<b>O</b> 5	<b>O</b> <sup>5</sup>
	1 0		Citizen or Sub Foreign Count				Foreign	Nation	<b>O</b> 6	<b>O</b> 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			C. Administrative Agency Review			O D. Temporary Restraining Order/Preliminary				
410 Antitrust	<ul> <li>310 Airplane</li> <li>315 Airplane Product Liability</li> <li>320 Assault, Libel &amp; Slander</li> <li>330 Federal Employers Liability</li> <li>340 Marine</li> <li>345 Marine Product Liability</li> <li>350 Motor Vehicle</li> <li>355 Motor Vehicle Product Liabilitity</li> <li>360 Other Personal Injury</li> <li>362 Medical Malpractice</li> <li>365 Product Liability</li> <li>367 Health Care/Pharmaceutical Personal Injury Product Liability</li> <li>368 Asbestos Product Liability</li> </ul>			Other Statutes         891 Agricultural Acts         893 Environmental Matters         890 Other Statutory Actions (If         Administrative Agency is			Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*				
O E. General Civi	l (Other)	OR		0	F. Pro	o Se Ger	ieral Ci	ivil			
Real Property         210 Land Condemna         220 Foreclosure         230 Rent, Lease & E         240 Torts to Land         245 Tort Product Li         290 All Other Real I         Personal Property         370 Other Fraud         371 Truth in Lendin         380 Other Personal         Damage         385 Property Damag         Product Liabilit	Cjectment ability Property Pg Property ge	Bankruptcy         422 Appeal 27 USC 1         423 Withdrawal 28 U         Prisoner Petitions         535 Death Penalty         540 Mandamus & Ot         550 Civil Rights         555 Prison Condition         560 Civil Detainee - O         of Confinement         Property Rights         820 Copyrights         830 Patent         835 Patent - Abbrevi         Drug Application         840 Trademark	SC 157 her S Conditio		870         Forfeitu         625         690         Other S         375         376         400         430         450	Tax Suits Taxes (U defendant IRS-Thi 7609 re/Penalt Drug Re Property Other tatutes False Cl Gui Tan 3729(a)) State Re Banks & Commen Rates/et	S plainti nt) rd Party lated Sei 21 USC a (31 USC capportic Banking rce/ICC c.	26 USC zure of 881	<ul> <li>462 Naturalizat Application</li> <li>465 Other Imm Actions</li> <li>470 Racketeer I &amp; Corrupt</li> <li>480 Consumer (</li> <li>490 Cable/Satel</li> <li>850 Securities/C Exchange</li> <li>896 Arbitration</li> <li>899 Administra Act/Review Agency Dec</li> <li>950 Constitutio Statutes</li> <li>890 Other Statu (if not administration)</li> </ul>	igration nfluenced Organizz Credit lite TV Commodi tive Proc or Appe- rision nality of S nality of S	tion ties/ edure al of State ions e agency

Case 1:19-cv-02977 Document 1-1 Filed 10/03/19 Page 2 of 2

O G. Habeas Corpus/ 2255	O H. Employment Discrimination	• I. FOIA/Privacy Act	O J. Student Loan			
530 Habeas Corpus – General 510 Motion/Vacate Sentence 463 Habeas Corpus – Alien Detainee	442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation)	X 895 Freedom of Information Act 890 Other Statutory Actions (if Privacy Act)	152 Recovery of Defaulted Student Loan (excluding veterans)			
	*(If pro se, select this deck)*	*(If pro se, select this deck)*				
<ul> <li>K. Labor/ERISA (non-employment)</li> <li>710 Fair Labor Standards Act</li> <li>720 Labor/Mgmt. Relations</li> <li>740 Labor Railway Act</li> <li>751 Family and Medical Leave Act</li> <li>790 Other Labor Litigation</li> <li>791 Empl. Ret. Inc. Security Act</li> </ul>	<ul> <li>L. Other Civil Rights (non-employment)</li> <li>441 Voting (if not Voting Rights Act)</li> <li>443 Housing/Accommodations</li> <li>440 Other Civil Rights</li> <li>445 Americans w/Disabilities – Employment</li> <li>446 Americans w/Disabilities – Other</li> <li>448 Education</li> </ul>	<ul> <li>M. Contract</li> <li>110 Insurance</li> <li>120 Marine</li> <li>130 Miller Act</li> <li>140 Negotiable Instrument</li> <li>150 Recovery of Overpayment &amp; Enforcement of Judgment</li> <li>153 Recovery of Overpayment of Veteran's Benefits</li> <li>160 Stockholder's Suits</li> <li>190 Other Contracts</li> <li>195 Contract Product Liability</li> <li>196 Franchise</li> </ul>	<ul> <li>N. Three-Judge Court</li> <li>441 Civil Rights – Voting (if Voting Rights Act)</li> </ul>			
V. ORIGIN						
<ul> <li>1 Original Proceeding</li> <li>2 Removed from State Court</li> <li>3 Remanded from Appellate Court</li> <li>4 Reinstated or Reopened Court</li> <li>5 Transferred from another district (specify)</li> <li>6 Multi-district</li> <li>7 Appeal to District Judge from Mag. Judge</li> <li>8 Multi-district Litigation – Direct File</li> </ul>						
VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.) FOIA, 5 U.S.C. § 552 et seq. Challenge to OSMRE's failure to timely respond to Plaintiff's FOIA request.						
VII. REQUESTED IN COMPLAINT       CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23       DEMAND \$       Check YES only if demanded in complaint YES NO						
VIII. RELATED CASE(S)       (See instruction)       YES       NO       If yes, please complete related case form         IF ANY       If yes, please complete related case form       If yes, please complete related case form						
DATE:10/03/2019	SIGNATURE OF ATTORNEY OF REC	CORD /s/ John R.	Mellgren			

## 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.