## Case 1:19-cv-03019-JEB Document 1-1 Filed 10/09/19 Page 1 of 2 CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)		CIV		JUVEI	N SHEE	41							
I. (a) PLAINTIFFS		DEFENDANTS											
MONTANA ENVIRG	ENTE	,	UNITED STATES OFFICE OF SURFACE MINING RECLAMATION AND ENFORCEMENT										
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF <b>88888</b> (EXCEPT IN U.S. PLAINTIFF CASES)				COUNTY OF RESIDENCE OF FIRST LISTED DEFENDAN (IN U.S. PLAINTIFF CASES ONL NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE				FF CASES ONLY)	AND INVOLV				
(c) ATTORNEYS (FIRM NA	)	ATTORNEYS (IF KNOWN)											
John R. Mellgren Western Environmental Law Center 120 Shelton McMurphey Blvd., Ste. 340 Eugene, OR 97401 (541) 359-0990													
II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY)				III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY!									
1 U.S. Government	~ ´	deral Question	1 12/11	PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY: PTF DFT PTF PTF							DFT		
Plaintiff		S. Government Not a Party)	Citiz	en of this	State	<b>O</b> 1	<b>O</b> 1		ated or Principal Place ess in This State	<b>O</b> 4	<b>O</b> 4		
2 U.S. Government Defendant	(In	versity dicate Citizenship of			other State	<b>O</b> 2	<b>O</b> 2	Incorpor of Busin	ated and Principal Place ess in Another State	<b>O</b> 5	<b>O</b> <sup>5</sup>		
	Pa	rties in item III)	Citizen or Sub Foreign Coun			<b>O</b> 3	<b>O</b> 3	Foreign	Foreign Nation		<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)													
	-		sents	-					_				
O A. Antitrust	O B. Personal Injury/ Malpractice			ОС.	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         345 Marine Product Liability         350 Motor Vehicle         355 Motor Vehicle Product Liability			Social Security					Any nature of suit from any category				
				861	HIA (139		may be selected for this category of case assignment. *(If Antitrust, then A governs)*						
					Black Lui DIWC/Dl								
				864	SSID Titl	e XVI	(II Anturust, then A governs).						
					8 RSI (405)	(g))							
		her Personal Injury	Other Statutes           91 Agricultural Acts										
	362 Medical Malpractice 365 Product Liability				Environn								
367 Health Care/Pharmaceutical Personal Injury Product Liabi			890 Other Statutory Actions (If Administrative Agency is										
			bility Involved)										
O E. General Civi	il (Other)	OR		0	F. Pro	) Se Gen	ieral Ci	ivil	<u> </u>				
Real Property         Bankruptcy			170		Federal Tax Suits				462 Naturalizat				
210 Land Condemnation     422 Appeal 27 USC       220 Foreclosure     423 Withdrawal 28					870 Taxes (US plaintiff or defendant)			Application					
230 Rent, Lease & Ejectment					871 IRS-Third Party 26 USC			Actions					
240 Torts to Land Prisoner Petitions 245 Tort Product Liability 535 Death Penalty						7609			470 Racketeer Influenced				
245 Tort Product Liability       555 Death Penalty         290 All Other Real Property       540 Mandamus & Ot			ther		Forfeiture/Penalty			& Corrupt Organization 480 Consumer Credit					
550 Civil Rights			NC .		625 Drug Related Seizure of Property 21 USC 881			490 Cable/Satellite TV					
Personal Property       555 Prison Condition         370 Other Fraud       560 Civil Detainee - 0									850 Securities/Commodities/ Exchange				
371 Truth in Lending of Confinement				Other St					896 Arbitration				
380 Other Personal Property           Damage         Property Rights					375 False Claims Act				899 Administrative Procedure				
385 Property Dama	<b>820</b> Copyrights			376 Qui Tam (31 USC 3729(a))				Act/Review or Appeal of Agency Decision					
Product Liabilit	830 Patent 835 Patent – Abbrevi	<b>330 Patent</b> <b>835 Patent</b> – Abbreviated New			State Re	onment	950 Constitutionality of State						
Drug Application					430 Banks & Banking 450 Commerce/ICC Rates/etc. 460 Deportation				Statutes	Statutes Statutory Actions			
									(if not administrative agency review or Privacy Act)				

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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> </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 Plaintiffs' 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       JURY DEMAND:     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:10/09/2019	SIGNATURE OF ATTORNEY OF RECORD /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.