Case 1:20-cv-00509-TNM Document 1-4 Filed 02/21/20 Page 1 of 2 CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)			EK SHEE	-							
I. (a) PLAINTIFFS			DEFENDANTS								
LATHAM & WATKINS LLP		U.S. FOOD AND DRUG ADMINISTRATION									
(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF 11001 (EXCEPT IN U.S. PLAINTIFF CASES)			COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT 88888 (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDERNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED								
(c) ATTORNEYS (FIRM NAME, ADDRES	S, AND TELEPHONE NUMBER)		ATTORNEYS (IF KNOWN)								
Andrew D. Prins Latham & Watkins LLP 555 Eleventh Street, NW, Suite 1000 Washington, D.C. 20004 (202) 637-2200											
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!									
	ederal Question J.S. Government Not a Party)	Citizen of t	his State	PTF DFT PTF DFT O 1 O 1 Incorporated or Principal Place O 4 O 4 of Business in This State							
Defendant (indicate Citizenship of		Another State O 2 O 2 Incorporated and Principal Pl of Business in Another State		ated and Principal Place	O 5	O ⁵				
Parties in item III)		Citizen or S Foreign Co		O 3	O 3	Foreign 1	Nation	O 6	O 6		
(Place an X in one cate	IV. CASE ASSIGN gory, A-N, that best represe						onding Nature of Sui	it)			
O A. Antitrust O B.						O D. Temporary Restraining Order/Preliminary					
410 Antitrust 310 A	-		151 Medicare Act			<i>Injunction</i> Any nature of suit from any category					
330 I	320 Assault, Libel & Slander 330 Federal Employers Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle			Social Security 861 HIA (1395ff) 862 Black Lung (923)					may be selected for this category of case assignment.		
350 M				863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g))				*(If Antitrust, then A governs)*			
355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Medical Malpractice 365 Product Liability 367 Health Care/Pharmaceutical Personal Injury Product Liability 368 Asbestos Product Liability			<u>r Statutes</u> 891 Agricultu								
			893 Environmental Matters 890 Other Statutory Actions (If Administrative Agency is								
			Involved)								
O E. General Civil (Other)	OR		-) Se Ger		ivil	·				
Real PropertyBankruptcy210 Land Condemnation422 Appeal 27 USC 15220 Foreclosure423 Withdrawal 28 US230 Rent, Lease & Ejectment423 Withdrawal 28 US240 Torts to LandPrisoner Petitions245 Tort Product Liability535 Death Penalty290 All Other Real Property550 Civil Rights971 Truth in Lending560 Civil Detainee - Cordinament380 Other Personal Propertyof Confinement385 Property Damage820 Copyrights			Federal Tax Suits 870 Taxes (US plaintiff or defendant) 871 IRS-Third Party 26 USC 7609 Forfeiture/Penalty 625 Drug Related Seizure of Property 21 USC 881 90 Other Other Statutes			462 Naturalizat Application 465 Other Imm	l				
						Actions 470 Racketeer Influenced & Corrupt Organization					
						 480 Consumer Credit 490 Cable/Satellite TV 850 Securities/Commodities/ Exchange 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 					
			375 False Claims Act 376 Qui Tam (31 USC								
Product Liability	830 Patent 835 Patent – Abbrevia Drug Application	ted New	3729(a)) 400 State Reapportionment 430 Banks & Banking				950 Constitutionality of State Statutes				
	840 Trademark		450 Commerce/ICC Rates/etc. 460 Deportation				890 Other Statutory Actions (if not administrative agency review or Privacy Act)				

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Image: Solution of the second set o										
Soft Hubes Corpus - General Soft Motion Vacate Sentence (a) Habeas Corpus - Alien Detaince Image: Contract (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) 890 Other Statutory Actions (if Privacy Act) Student Loan (excluding vetera (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) 890 Other Statutory Actions (if Privacy Act) Student Loan (excluding vetera (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) 890 Other Statutory Actions (if Privacy Act) Student Loan (excluding vetera (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) 890 Other Statutory Actions (if Privacy Act) ''If pro se, select this deck)* O L. Other Civil Rights Act) O M. Contract (court) Student Loan (excluding vetera (if Voting Rights Act) ''101 Fair Labor Statadrads Act ''201 Labor Raitway Act ''301 General ''401 Chort Rights Act) O M. Contract (court) O N. Three-Judge Court ''401 Labor Raitway Act ''301 General ''440 Other Civil Rights ''446 Americans w/Disabilities - D'300 Other Labor Litigation ''701 Empl. Ret. Inc. Security Act ''448 Education O M. Contract ''100 Veteran's Benefits ''100 Other Contract ''100 Other C	-		O I. FOIA/Privacy Act	O J. Student Loan						
O K. Labor/ERISA (non-employment) O L. Other Civil Rights (non-employment) O M. Contract O N. Three-Judge Court 170 Fair Labor/Memt. Relations 720 Labor/Memt. Relations 731 Family and Medical Leave Act I 411 Voting (if not Voting Rights Act) I 110 Insurance I 110 Insurance I 411 Civil Rights – Vo (if Voting Rights 791 Other Labor/Memt. Relations I 441 Motion (if not Voting Rights Act) I 410 Negotiable Instrument I 441 Civil Rights – Vo (if Voting Rights 791 Empl. Ret. Inc. Security Act I 440 Other Civil Rights I 443 Housing/Accommodations H440 Other Civil Rights I 150 Recovery of Overpayment of Veteran's Benefits I 05 Stockholder's Suits 190 Other Cabor/Lingation I 148 Education I 153 Recovery of Overpayment of Veteran's Benefits I 06 Stockholder's Suits 190 Other Contracts I 95 Contract Product Liability I 96 Franchise I structure of Nage V. ORIGIN 2 Removed from Appellate Court 5 Transferred from Appellate Court 6 Multi-district 7 Appeal to District Judge 8 Multi-di Litigation District Judge VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE 5 U.S.C. § 552 - Failure by FDA to respond to FOIA requests VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND S	510 Motion/Vacate Sentence 463 Habeas Corpus – Alien	(criteria: race, gender/sex, national origin, discrimination, disability, age,	890 Other Statutory Actions	152 Recovery of Defaulted Student Loan (excluding veterans)						
(non-employment) (non-employment) 710 Fair Labor Standards Act (non-employment) 710 Fair Labor Standards Act 441 Voting (if not Voting Rights 720 Labor/Mgmt. Relations 441 Livial Rights 730 Labor Railway Act 443 Housing/Accommodations 740 Labor Railway Act 443 Housing/Accommodations 740 Labor Railway Act 443 Housing/Accommodations 740 Labor Railway Act 444 Americans w/Disabilities - 6 150 Recovery of Overpayment 1445 Americans w/Disabilities - Judgment 153 Recovery of Overpayment 448 Education 0 Hor Civi Rights 160 Stockholder's Suits 199 Other Court 199 Other Couracts 199 Other Couract 199 Other Couract 199 Other Couract 0 A Reinstated 5 Transferred 199 Other Couract 0 S Multi-di 199 Contract Product Liability 196 Franchise 199 Contract Product Liability 196 Franchise 197 Court 0 Reopened 0 Transferred 198 Couract 0 Action Mage 0 Rulti-di 199 Court 0 S to respond to FOIA requests 0 S Check YES only if demanded in compl		*(If pro se, select this deck)*	*(If pro se, select this deck)*							
 ¹ Original Proceeding ⁰ 2 Removed from State Court ¹ Original Proceeding ¹ Original ¹ Original Proceeding ¹ Original ¹ O	(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	(non-employment) (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	 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 							
Proceeding from State Court from Appellate Court or Reopened Court from another district (specify) Litigation District Judge from Mag. Judge VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE 5 U.S.C. § 552 - Failure by FDA to respond to FOIA requests OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE 5 U.S.C. § 552 - Failure by FDA to respond to FOIA requests VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ JURY DEMAND: Check YES only if demanded in compl YES VIII. RELATED CASE(S) IF ANY (See instruction) YES NO If yes, please complete related case for	V. ORIGIN									
5 U.S.C. § 552 - Failure by FDA to respond to FOIA requests VII. REQUESTED IN COMPLAINT CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ JURY DEMAND: Check YES only if demanded in compl YES NO X VIII. RELATED CASE(S) IF ANY (See instruction) YES X NO If yes, please complete related case for	Proceeding from State from Appellate or Reopened from another Litigation District Judge Litigation – Court Court district (specify) from Mag. Direct File									
COMPLAINT ACTION UNDER F.R.C.P. 23 JURY DEMAND: YES NO VIII. RELATED CASE(S) (See instruction) YES NO If yes, please complete related case for IF ANY 20/0/1/20000 If yes, please complete related case for YES NO If yes, please complete related case for	VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.) 5 U.S.C. § 552 - Failure by FDA to respond to FOIA requests									
		ACTION UNIDED E D C D 22								
DATE 02/21/2020 SIGNATURE OF ATTORNEY OF RECORD /S/Andrew D. Prins		(See instruction) YES	NO If yes, p	lease complete related case form						
DATE:	DATE: 02/21/2020	SIGNATURE OF ATTORNEY OF REC	CORD /s/Andrew	D. Prins						

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.