## JS 44 (Rev. 09/19)

## CASE 0:20-cv-01261-SEN KMMC Bockment 1 Filed 05/27/20 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.)* 

Contrarias & Metolska, P.A.  (b) Coursy of Residence of First Listed Plaintiff	I. (a) PLAINTIFFS				DEFENDANTS						
PACEPT RVLB. PLANTIPE CASES     PACEPT RVLB. PLANTIPE CASES     VILLS PLANTIPE CASES W/F     VILLS	Contreras & Metelska, P.A.										
(c)       Attempts ifem Nume, iddexs, and Telephone Numeri.         (c)       Attempts ifem Nume, iddexs, and Telephone Numerican Num	· · · ·										
Conference & Advelopment Air & Deck Back Orbit II. BASIS OF JURISDICTION (Place on X' in One Back Orbit 1 U.S. Government Air & Deck Back Orbit 1 U.S. Government Air & Deck Back Orbit Defendant (J.S. Government Air & Deck Back Orbit) Defendant (J.S. Government Air & Deck Back Orbit) TO NUTL Clause of Taulous Orbit Air Air Andres State (J.S. Government Air & Deck Back Orbit) Defendant (J.S. Government Air & Deck Back Orbit) TO NUTL Clause of Taulous Orbit Air	(EXCEPT IN U.S. PLAINTIFF CASES)			NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF							
1       U.S. Government       13       Federal Question       (fbr Diversity Case Ohig)       and Ote Statisfield Question         21       U.S. Government       14       Diversity       14       Diversity       14       Diversity       14       Diversity       14       Diversity       14       Diversity       15       Citizen of This State       1       1       1       Diversity       14       Diversity       15       Diversity       15       Diversity       15       Diversity       15       Diversity       15       Diversity       Diversity       16       Diversity       Diversity <td< td=""><td colspan="4">Contreras &amp; Metelska, P.A., 200 University Avenue W., Suite 200,</td><td colspan="6">Attorneys (If Known)</td></td<>	Contreras & Metelska, P.A., 200 University Avenue W., Suite 200,				Attorneys (If Known)						
1       1       7       Tederal Question       PTF       DEF       DEF       PTF       DEF         2       U.S. Government       0       4       Derensy       Citizen of This Site       0       1       0       1       Decorporated or Principal Place       0 <t< th=""><th>II. BASIS OF JURISDI</th><th>CTION (Place an "X" in O</th><th>ne Box Only)</th><th>III. CI</th><th>TIZENSHIP OF P</th><th>RINCIPA</th><th>L PARTIES (</th><th>Place an "X" in</th><th>One Box fo</th><th>or Plaintifj</th></t<>	II. BASIS OF JURISDI	CTION (Place an "X" in O	ne Box Only)	III. CI	TIZENSHIP OF P	RINCIPA	L PARTIES (	Place an "X" in	One Box fo	or Plaintifj	
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Foreign Control       V. NATURE OF SUIT (Place or X' in One Bas Only)       Click here for: Nature of Suit Code Description:       ONE PERSONAL INURS       10 Ionarase     PERSONAL INURS     200 Related Science     24 Appel 21 USC 381     37.6 Out Tank (1 USC 37.2 Out Tank (1 USC 3				Citize					□ 5	□ 5	
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10 Io summe       PERSONAL INURY       PERSONAL INURY       7 435 Dreg Related Science       0       7 57 Elect Chaim, Act         120 Matine       136 Anglane Product       365 Dreg Related Science       0       7 7 State Chaim, Act         140 Neglishe Instrument       136 Anglane Product       367 Forecasting       423 Without Science       37 State Chaim, Act         151 Anglane Product       367 Forecasting       367 Forecasting       423 Without Science       43 State Science         151 Machine Product       367 Forecasting       367 Forecasting       40 Natirest       37 State Chaim, Act         151 Machine Product       37 State Chaim, Act       37 State Chaim, Act       37 State Chaim, Act         151 Machine Product       380 Actes Product       380 Protein       380 Other Protein       380 Other Protein       710 Fact Labor StateAster       380 Other Protein       380 Oth											
V. ORIGIN (Place an "X" in One Box Only)         X1       Original Proceeding       2 Removed from State Court       3 Remanded from Appellate Court       4 Reinstated or Reopened       5 Transferred from Another District (specify)       6 Multidistrict Litigation - Direct File         VI. CAUSE OF ACTION       Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):       5         VI. CAUSE OF ACTION       Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):       5         VII. REQUESTED IN COMPLAINT:       CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.       DEMAND \$       CHECK YES only if demanded in complaint: UNDER RULE 23, F.R.Cv.P.         VIII. RELATED CASE(S) IF ANY       (See instructions): JUDGE       JUDGE       DOCKET NUMBER         DATE 05/27/2020       SIGNATURE OF ATTORNEY OF RECORD 05/27//2020       /s/ Nico Ratkowski	<ul> <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>151 Medicare Act</li> <li>152 Recovery of Defaulted Student Loans (Excludes Veterans)</li> <li>153 Recovery of Overpayment of Veteran's Benefits</li> <li>160 Stockholders' Suits</li> <li>190 Other Contract</li> <li>195 Contract Product Liability</li> <li>196 Franchise</li> </ul>	PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle 970duct Liability 360 Other Personal Injury 362 Personal Injury 440 Other Civil Rights 441 Voting 443 Housing/ Accommodations 445 Amer. w/Disabilities - Employment 446 Amer. w/Disabilities - Other	PERSONAL INJURY      365 Personal Injury -     Product Liability      367 Health Care/     Pharmaceutical     Personal Injury     Product Liability      368 Asbestos Personal     Injury Product     Liability      370 Other Fraud     370 Other Fraud     371 Truth in Lending     380 Other Personal     Property Damage     385 Property Damage     363 Alien Detainee     510 Motions to Vacate     Sentence     530 General     535 Death Penalty     Other:     540 Mandamus & Othe     550 Civil Rights     555 Prison Condition     560 Civil Detainee -     Conditions of	Image: Try     Image: General conditions       Image: Try     Image: Try       Image: Try     Image: Try <t< td=""><td>5 Drug Related Seizure of Property 21 USC 881 0 Other 0 Fair Labor Standards Act 0 Labor/Management Relations 0 Railway Labor Act 1 Family and Medical Leave Act 0 Other Labor Litigation 11 Employee Retirement Income Security Act IMMIGRATION 2 Naturalization Application 5 Other Immigration</td><td>□         422 Appe           □         423 With 28 U           □         820 Copy           □         835 Paten New           □         835 Paten New           □         861 HIA           □         862 Black           □         864 SSID           □         865 RSI (           □         870 Taxe: or D           □         871 IRS- 26 U</td><td>al 28 USC 158 drawal SC 157 <b>ETY RIGHTS</b> rights t - 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Proceeding       State Court       Appellate Court       Reopened       Another District (specify)       Litigation - Transfer       Litigation - Direct File         VI. CAUSE OF ACTION       Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 5 U.S.C. 552       Eventson       Eventson <td></td> <td></td> <td>1</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>			1								
VI. CAUSE OF ACTION       Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): SU.S.C. 552         Brief description of cause: Unlawful delay and unlawful withholding of responsive documents          VII. REQUESTED IN COMPLAINT:       CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in complaint: UNDER RULE 23, F.R.Cv.P.         VIII. RELATED CASE(S) IF ANY       JUDGE         OATE       OCKET NUMBER         DATE       SIGNATURE OF ATTORNEY OF RECORD         05/27/2020       /s/ Nico Ratkowski		te Court	Appellate Court	Reop	bened Anothe (specify)	r District	Litigation Transfer	-	Litigation	n -	
COMPLAINT:       UNDER RULE 23, F.R.Cv.P.       JURY DEMAND:       Ves       Mo         VIII. RELATED CASE(S) IF ANY       (See instructions):       JUDGE       DOCKET NUMBER	VI. CAUSE OF ACTION Brief description of cause: Unlawful delay and unlawful withholding of responsive documents										
IF ANY     (See instructions):     JUDGE     DOCKET NUMBER       DATE     SIGNATURE OF ATTORNEY OF RECORD       05/27/2020     /s/ Nico Ratkowski	<b>COMPLAINT:</b>	D	EMAND \$					nt:			
05/27/2020 /s/ Nico Ratkowski FOR OFFICE USE ONLY		(See instructions):			DOCKET NUMBER						
	05/27/2020				DF RECORD						
		AOUNT	APPLYING IFP		JUDGE		MAG. JUD	GE			

## **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. 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.