JS 44 (Rev. 3/13)

Case: 1:16-cv-02107 Document #: 3-Filed: 02/110/16 Page 1 of 2 PageID #:67

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.)

(c) Attorneys (Firm Name, Address, and Tolephane Nambers) III. BASIS OF JURISDICTION (Place on "X" to the first Ord) The Control of Distriction Control of Di	purpose of initiating the civil do	ocket sheet. (SEE INSTRUCT	TIONS ON NEXT PAGE OF T	HIS FORM.)		
(c) Attorneys (Firm Name, Address, and Telephone Numbers) III. BASIS OF JURISDICTION (Pinn on "X" in One Ros Only) U.S. Government 0	I. (a) PLAINTIFFS			DEFENDANTS		
U.S. Government Huntil H	(EXCEPT IN U.S. PLAINTIFF CASES)			(IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.		
2 U.S. Government 2 Defendant 2 Develop Parties in hem III) Citteen of Another State 2 2 2 Inorphysical Another State 3 5 5 5 5 6 6	□ 1 U.S. Government	☐ 3 Federal Question		(For Diversity Cases Only)	TF DEF	and One Box for Defendant) PTF DEF
V. NATURE OF SUIT Place on "X" in One Box Only	□ 2 U.S. Government	☐ 4 Diversity		Citizen of Another State	of Business In T 2	his State Principal Place 5 5 Another State
CONTRACT				Foreign Country		
10 Insurance 10 Insurance 130 Miller Act 130 Airplane Product 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & 515 Nephane Product 130 Miller Act 140 Negotiable Instrument 150 Recovery of Defaulted Stadent Loans & Enforcement of Judgment 151 Milled Registration 152 Recovery of Defaulted Stadent Loans (Excludes Vecterars) 153 Recovery of Defaulted Stadent Loans (Excludes Vecterars) 153 Recovery of Defaulted Stadent Loans (Excludes Vecterars) 153 Recovery of Vectorary 155 Recov				EQUEENTINE/DEN A L'EV	D A MIZDLIDECT	OTHER CTATUTES
V. ORIGIN (Place an "X" in One Box Only) 1 Original Proceeding State Court Appellate Court Appellate Court Another District (specify) VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.) VII. Previous Bankruptcy Matters (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this Court. Use a separate attachment if necessary. VIII. REQUESTED IN 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. DOCKET NUMBER DOCKET NUMBER	□ 110 Insurance □ 120 Marine □ 130 Miller Act □ 140 Negotiable Instrument □ 150 Recovery of Overpayment	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 Product Liability 360 Other Personal Injury Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 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 PERSONAL PROPERTY 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage Product Liability PRISONER PETITIONS 510 Motions to Vacate Sentence Habeas Corpus: 530 General 535 Death Penalty 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of	LABOR TABOR TO THE RELATION TIMMIGRATION MIGRATION MIGRATION	□ 422 Appeal 28 USC 158 □ 423 Withdrawal 28 USC 157 PROPERTY RIGHTS □ 820 Copyrights □ 830 Patent □ 840 Trademark SOCIAL SECURITY □ 861 HIA (1395ff) □ 862 Black Lung (923) □ 863 DIWC/DIWW (405(g)) □ 864 SSID Title XVI □ 865 RSI (405(g)) FEDERAL TAX SUITS □ 870 Taxes (U.S. Plaintiff or Defendant) □ 871 IRS—Third Party 26 USC 7609	□ 375 False Claims Act □ 400 State Reapportionment □ 410 Antitrust □ 430 Banks and Banking □ 450 Commerce □ 460 Deportation □ 470 Racketeer Influenced and Corrupt Organizations □ 480 Consumer Credit □ 490 Cable/Sat TV □ 850 Securities/Commodities/Exchange □ 890 Other Statutory Actions □ 891 Agricultural Acts □ 893 Environmental Matters □ 895 Freedom of Information Act □ 896 Arbitration □ 899 Administrative Procedure Act/Review or Appeal of Agency Decision □ 950 Constitutionality of
write a brief statement of cause.) VIII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. IX. RELATED CASE(S) IF ANY (See instructions): JUDGE DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: DOCKET NUMBER DOCKET NUMBER	□ 1 Original □ 2 Rer	noved from 3 Rema		Reopened Anot	her District Litigation	
COMPLAINT: UNDER RULE 23, F.R.Cv.P. IX. RELATED CASE(S) IF ANY See instructions: JUDGE DOCKET NUMBER		N (Enter U.S. Civil Statute und	der which you are filing and	number and judge for any associate	ed bankruptcy matter previously ac	
IX. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER	CHECK II THIS IS IT CERES ITE ITO			DEMAND \$	CHECK YES only if demanded in complaint:	
IF ANY (See instructions): JUDGE DOCKET NUMBER	COMPLAINT:	UNDER RULE 23,	F.R.Cv.P.		JURY DEMAND:	□ Yes □ No
X. This case (check one box) Is not a refiling of a previously dismissed action is a refiling of case number previously dismissed by Judge			JUDGE		DOCKET NUMBER	
	X. This case (check one box)	☐ Is not a refiling of a pre-	viously dismissed action	is a refiling of case number	previously dismiss	ed by Judge

Case: instructions of documents to compile the 2/1/10/160 vergence of a reason = 4:68

Authority For Civil Cover Sheet

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- **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 the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the six 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. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

- 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. Previous Bankruptcy Matters** For nature of suit 422 and 423 enter the case number and judge for any associated bankruptcy matter previously adjudicated by a judge of this court. Use a separate attachment if necessary.
- VIII. 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.
- IX. 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.
- **X. Refiling Information.** Place an "X" in one of the two boxes indicating if the case is or is not a refilling of a previously dismissed action. If it is a refiling of a previously dismissed action, insert the case number and judge.

Date and Attorney Signature. Date and sign the civil cover sheet.