

Civil Cover Sheet

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. Please refer to the instructions on page 2.

1. (a) PLAINTIFFS

DEFENDANTS

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

(c) ATTORNEY'S NAME (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- G 1 U.S. Government Plaintiff
- G 2 U.S. Government Defendant
- G 3 Federal Question (U.S. Gov't Not a Party)
- G 4 Diversity (Indicate Citizenship of Parties in Item III)



III. CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)

(PLACE AN X IN ONE BOX FOR PLAINTIFF AND IN ONE BOX FOR DEFENDANT)

	PTF	DEF		PTF	DEF
Citizen of this State	<input type="checkbox"/> G 1	<input type="checkbox"/> G 1	Incorporated <i>or</i> Principal Place of Business in this State	<input type="checkbox"/> G 4	<input type="checkbox"/> G 4
Citizen of another State	<input type="checkbox"/> G 2	<input type="checkbox"/> G 2	Incorporated <i>and</i> Principal Place of Business in another State	<input type="checkbox"/> G 5	<input type="checkbox"/> G 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> G 3	<input type="checkbox"/> G 3	Foreign Nation	<input type="checkbox"/> G 6	<input type="checkbox"/> G 6

IV. ORIGIN

(PLACE AN X IN ONE BOX ONLY)

- G 1 Original Proceeding
- G 2 Removed from State Court
- G 3 Remanded from Appellate Court
- G 4 Reinstated or Reopened
- G 5 Transferred from another district (specify)
- G 6 Multidistrict Litigation
- G 7 Appeal to District Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> G 110 Insurance <input type="checkbox"/> G 120 Marine <input type="checkbox"/> G 130 Miller Act <input type="checkbox"/> G 140 Negotiable Instrument <input type="checkbox"/> G 150 Overpayment Recovery & Enforcement of Judgment <input type="checkbox"/> G 151 Medicare Act <input type="checkbox"/> G 152 Recovery of Defaulted Student Loans (Excluding Veterans) <input type="checkbox"/> G 153 Recovery of Overpayment of Vet's Benefits <input type="checkbox"/> G 160 Stockholders' Suits <input type="checkbox"/> G 190 Other Contract <input type="checkbox"/> G 195 Contract Prod. Liability	PERSONAL INJURY <input type="checkbox"/> G 310 Airplane <input type="checkbox"/> G 315 Airplane Product Liability <input type="checkbox"/> G 320 Assault, Libel, Slander <input type="checkbox"/> G 330 Federal Employers & Marine <input type="checkbox"/> G 340 Marine <input type="checkbox"/> G 345 Marine Product Liability <input type="checkbox"/> G 350 Motor Vehicle <input type="checkbox"/> G 355 Motor Vehicle Product Liability <input type="checkbox"/> G 360 Other Pers. Injury	PERSONAL INJURY <input type="checkbox"/> G 362 Personal Injury-Med. Malpractice <input type="checkbox"/> G 365 Personal Injury-Product Liability <input type="checkbox"/> G 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> G 370 Other Fraud <input type="checkbox"/> G 371 Truth in Lending <input type="checkbox"/> G 380 Other Personal Property Damage <input type="checkbox"/> G 385 Property Damage Product Liability	<input type="checkbox"/> G 610 Agriculture <input type="checkbox"/> G 620 Other Food & Drug <input type="checkbox"/> G 625 Drug Related Seizure of Property 21 USC § 881 <input type="checkbox"/> G 630 Liquor Laws <input type="checkbox"/> G 640 Railroad & Truck <input type="checkbox"/> G 650 Airline Regulations <input type="checkbox"/> G 660 Occupational Safety/Health <input type="checkbox"/> G 690 Other LABOR <input type="checkbox"/> G 710 Fair Labor Standards Act <input type="checkbox"/> G 720 Labor/Management Relations <input type="checkbox"/> G 730 Labor/Management Reporting and Disclosure Act <input type="checkbox"/> G 740 Railway Labor Act <input type="checkbox"/> G 790 Other Labor Litigation <input type="checkbox"/> G 791 Employees Retirement Income Security Act (ERISA)	<input type="checkbox"/> G 422 Appeal 28 USC § 158 <input type="checkbox"/> G 423 Withdrawal 28 USC § 157 PROPERTY RIGHTS <input type="checkbox"/> G 820 Copyrights <input type="checkbox"/> G 830 Patent <input type="checkbox"/> G 840 Trademark SOCIAL SECURITY <input type="checkbox"/> G 861 HIA (1395ff) <input type="checkbox"/> G 862 Black Lung (923) <input type="checkbox"/> G 863 DIWC/DIWW (405(g)) <input type="checkbox"/> G 864 SSID Title XVI <input type="checkbox"/> G 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> G 870 Taxes (U.S. Plaintiff or Def.) <input type="checkbox"/> G 871 IRS-Third Party 26 USC § 7609	<input type="checkbox"/> G 400 State Reapportionment <input type="checkbox"/> G 410 Antitrust <input type="checkbox"/> G 430 Banks & Banking <input type="checkbox"/> G 450 Commerce/ICC Rates, etc. <input type="checkbox"/> G 460 Deportation <input type="checkbox"/> G 470 Racketeer Influenced and Corrupt Organizations (Civil RICO) <input type="checkbox"/> G 810 Selective Service <input type="checkbox"/> G 850 Securities/Commodities/Exchange <input type="checkbox"/> G 875 Customer Challenge 12 USC § 3410 <input type="checkbox"/> G 891 Agricultural Acts <input type="checkbox"/> G 892 Economic Stabilization Act <input type="checkbox"/> G 893 Environmental Matters <input type="checkbox"/> G 894 Energy Allocation Act <input type="checkbox"/> G 895 Freedom of Information Act <input type="checkbox"/> G 900 Appeal of Fee Determination Under Equal Access to Justice Act <input type="checkbox"/> G 950 Constitutionality of State Statute <input type="checkbox"/> G 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> G 210 Land Condemnation <input type="checkbox"/> G 220 Foreclosure <input type="checkbox"/> G 230 Rent Lease & Ejectm't <input type="checkbox"/> G 240 Torts to Land <input type="checkbox"/> G 245 Tort Product Liability <input type="checkbox"/> G 290 All Other Real Prop.	CIVIL RIGHTS <input type="checkbox"/> G 441 Voting <input type="checkbox"/> G 442 Employment <input type="checkbox"/> G 443 Housing/Accommodations <input type="checkbox"/> G 444 Welfare <input type="checkbox"/> G 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> G 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> G 530 General <input type="checkbox"/> G 535 Death Penalty <input type="checkbox"/> G 540 Mandamus & Other <input type="checkbox"/> G 550 Civil Rights <input type="checkbox"/> G 555 Prison Conditions			

VI. CAUSE OF ACTION (Cite the U.S. civil statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statute unless this is a diversity action)

VII. REQUESTED IN COMPLAINT: G Check if this is a Fed. R. Civ. P. 23 Class Action DEMAND: \$ _____ CHECK YES ONLY IF DEMANDED IN COMPLAINT: JURY DEMAND: G YES G NO

VIII. RELATED CASE(S) IF ANY (SEE INSTRUCTIONS) JUDGE _____ DOCKET NUMBER _____

Date _____ Signature of Attorney of Record _____

FOR CLERK'S OFFICE USE ONLY

RECEIPT NO. _____ AMOUNT \$ _____ JUDGE _____ MAGISTRATE JUDGE _____

Instructions for Attorneys Completing Civil Cover Sheet

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. 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 stated in FED. R. CIV. P. 8(a), 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 following order:

United States plaintiff. (1) Jurisdiction based on 28 USC Secs. 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 USC Sec. 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 United States is a party, the United States plaintiff or defendant code takes precedence and Box 1 or 2 should be checked.

Diversity of citizenship. (4) This refers to suits under 28 USC Sec. 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; federal question actions take precedence over diversity cases.)

III. Residence (citizenship) of Principal Parties. Complete this section of the JS-44 if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. 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 commenced in state courts may be removed to the district courts under 28 USC Sec. 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 28 USC Sec. 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 28 USC Sec. 1407. When this box is checked, do not check (5) above.

Appeal to District Judge from Magistrate Judgment. (7) Check this box for an appeal from a magistrate judge's judgment.

V. 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 IV above, is sufficient to enable the deputy clerk or the statistical clerks in the Administrative Office of the United States Courts to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause.

VII. Requested in Complaint. Class Action. Place an **X** in this box if you are filing a class action under FED. R. CIV. P. 23.

Demand. Enter in this space the dollar amount (in thousands of dollars) being demanded or indicate other demand, such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether a jury is being demanded.

VIII. Related Cases. This section of the JS-44 is used to refer to related pending cases, if any. If there are related pending cases, insert the docket number(s) and the corresponding judges' names for such cases.