JS 44
(Rev. 3/99)

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. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (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 INVOLVED.

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

ATTORNEYS (IF KNOWN)

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

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

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated *or* Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated *and* Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT *(PLACE AN "X" IN ONE BOX ONLY)*

CONTRACT
- ☐ **110** Insurance
- ☐ **120** Marine
- ☐ **130** Miller Act
- ☐ **140** Negotiable Instrument
- ☐ **150** Recovery of Overpayment & Enforcement of Judgment
- ☐ **151** Medicare Act
- ☐ **152** Recovery of Defaulted Student Loans (Excl. Veterans)
- ☐ **153** Recovery of Overpayment of Veteran's Benefits
- ☐ **160** Stockholders' Suits
- ☐ **190** Other Contract
- ☐ **195** Contract Product Liability

REAL PROPERTY
- ☐ **210** Land Condemnation
- ☐ **220** Foreclosure
- ☐ **230** Rent Lease & Ejectment
- ☐ **240** Torts to Land
- ☐ **245** Tort Product Liability
- ☐ **290** All Other Real Property

TORTS

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

PERSONAL INJURY
- ☐ **362** Personal Injury — Med. Malpractice
- ☐ **365** Personal Injury — Product Liability
- ☐ **368** Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ **370** Other Fraud
- ☐ **371** Truth in Lending
- ☐ **380** Other Personal Property Damage
- ☐ **385** Property Damage Product Liability

CIVIL RIGHTS
- ☐ **441** Voting
- ☐ **442** Employment
- ☐ **443** Housing/ Accommodations
- ☐ **444** Welfare
- ☐ **440** Other Civil Rights

PRISONER PETITIONS
- ☐ **510** Motions to Vacate Sentence

HABEAS CORPUS:
- ☐ **530** General
- ☐ **535** Death Penalty
- ☐ **540** Mandamus & Other
- ☐ **550** Civil Rights
- ☐ **555** Prison Condition

FORFEITURE/PENALTY
- ☐ **610** Agriculture
- ☐ **620** Other Food & Drug
- ☐ **625** Drug Related Seizure of Property 21 USC 881
- ☐ **630** Liquor Laws
- ☐ **640** R.R. & Truck
- ☐ **650** Airline Regs.
- ☐ **660** Occupational Safety/Health
- ☐ **690** Other

LABOR
- ☐ **710** Fair Labor Standards Act
- ☐ **720** Labor/Mgmt. Relations
- ☐ **730** Labor/Mgmt. Reporting & Disclosure Act
- ☐ **740** Railway Labor Act
- ☐ **790** Other Labor Litigation
- ☐ **791** Empl. Ret. Inc. Security Act

BANKRUPTCY
- ☐ **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

OTHER STATUTES
- ☐ **400** State Reapportionment
- ☐ **410** Antitrust
- ☐ **430** Banks and Banking
- ☐ **450** Commerce/ICC Rates/etc.
- ☐ **460** Deportation
- ☐ **470** Racketeer Influenced and Corrupt Organizations
- ☐ **810** Selective Service
- ☐ **850** Securities/Commodities/ Exchange
- ☐ **875** Customer Challenge 12 USC 3410
- ☐ **891** Agricultural Acts
- ☐ **892** Economic Stabilization Act
- ☐ **893** Environmental Matters
- ☐ **894** Energy Allocation Act
- ☐ **895** Freedom of Information Act
- ☐ **900** Appeal of Fee Determination Under Equal Access to Justice
- ☐ **950** Constitutionality of State Statutes
- ☐ **890** Other Statutory Actions

V. ORIGIN *(PLACE AN "X" IN ONE BOX ONLY)*

- ☐ 1 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
- ☐ 7 Appeal to District Judge from Magistrate Judgment

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 STATUTES UNLESS DIVERSITY.)

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) IF ANY (See instructions):
JUDGE _____ DOCKET NUMBER _____

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS−44

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.C.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; 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 V below, is sufficient to enable the deputy clerk or the statistical clerks 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 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. 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.

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

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 Rule 23, F.R.Cv.P.

Demand. In this space enter 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 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.