CONFORM

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Attorneys for Plaintiff
PRICE PFISTER, INC.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

PRICE PFISTER, INC.,

Plaintiff,

v.

MASCO CORPORATION OF INDIANA, d/b/a DELTA FAUCET COMPANY,

Defendant.

Case No. SACV13-1821-JLS (ANx)

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Price Pfister, Inc. ("Pfister"), for its Complaint against MASCO Corporation of Indiana, d/b/a Delta Faucet Company ("Delta"), alleges as follows:

NATURE OF THE ACTION

This is an action for patent infringement of United States Patent No. 7,490,619 (the "'619 Patent") under the Patent Laws of the United States, 35 U.S.C. § 1, *et seq.*, and seeking damages, injunctive relief, and other relief under 35 U.S.C. § 281, *et seq.*

PARTIES

1. Pfister is a corporation organized and existing under the laws of the state of Delaware with its principal place of business in Lake Forest, California. Pfister is a leading manufacturer of high-quality kitchen and bathroom faucets, tub and shower fixtures, and bathroom accessories.

2. On information and belief, Delta is a corporation organized and existing under the laws of the state of Indiana with its principal place of business in Indianapolis, Indiana. Upon further information and belief, Delta is engaged in the business of designing and manufacturing faucets and related kitchen and bath accessories.

JURISDICTION AND VENUE

3. This is a complaint for patent infringement under 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Delta is subject to personal jurisdiction in this District. Upon information and belief, Delta transacts business in California and has continuous and systematic contacts with California, including intentionally directing its products for sale into the state of California, maintaining distributor relationships in the state of California for the sale of its products, and registering to do business in the state of California. Upon further information and belief, Delta also, either by

itself or through distributors, offers to sell and sells infringing products in this District, including, in particular, faucets that infringe the '619 Patent.

5. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(b) and (c), and 1400(b), as Delta is subject to personal jurisdiction in this judicial district and has committed acts of infringement in this judicial district.

PATENT-IN-SUIT

6. On February 17, 2009, the United States Patent and Trademark Office duly and legally issued the '619 Patent titled "Faucet Assembly Having a Handle Subassembly." A true and correct copy of the '619 Patent is attached hereto as Exhibit A.

7. Pfister is the assignee of all rights, title, and interest in and to the '619 Patent.

DEFENDANT'S INFRINGING ACTIVITIES

8. Upon information and belief, Delta has acted and is acting to manufacture, import, ship, distribute, offer for sale, sell, and/or advertise a line of centerset faucets as part of its Olmsted bath suite. True and correct copies of promotional materials for the Olmsted Two Handle Centerset Lavatory Faucet are attached hereto as Exhibit B.

9. Delta maintains a website at www.deltafaucet.com. The Delta website provides contact information and resources for obtaining information about Delta products. The Delta website also features an online product catalog and information regarding the technical specifications, assembly instructions, price, and availability of Delta products, including the Olmsted Two Handle Centerset Lavatory Faucet.

10. Upon information and belief, the Olmsted Two Handle Centerset Lavatory Faucet, or the assembly of the same, infringes at least one claim of the '619 Patent.

COUNT I: INFRINGEMENT OF THE '619 PATENT

11. Pfister incorporates the allegations contained in the above paragraphs as though fully set forth herein.

12. Delta has been and now is directly infringing the '619 Patent, either literally or under the doctrine of equivalents, by making, using, selling, and/or offering for sale products, including, at least, the Olmsted Two Handle Centerset Lavatory Faucet, in the United States, in violation of 35 U.S.C. § 271(a).

13. By using, offering to sell, selling, and/or importing faucets, including, at least, the Olmsted Two Handle Centerset Lavatory Faucet, manufactured using a method of assembly claimed by the '619 Patent, Delta has been and now is infringing, either literally or under the doctrine of equivalents, the '619 Patent under 35 U.S.C. § 271(g).

14. Upon information and belief, Delta's infringement is willful, as Delta is and has been aware, through actual knowledge or willful blindness, that the infringing products would practice one or more claims of the '619 Patent.

15. Upon information and belief, Delta will continue to infringe the '619 Patent unless and until Delta is enjoined by this Court.

16. Delta's acts of infringement have caused and will continue to cause damage to Pfister, and Pfister is entitled to recover from Delta the damages sustained by Pfister and any additional remedy in an amount to be determined at trial.

17. Delta's acts of infringement will continue to cause Pfister irreparable harm in the future unless and until Delta is enjoined from infringing the '619 Patent.

PRAYER FOR RELIEF

WHEREFORE, Pfister respectfully requests this Court:

A. Enter judgment that Delta has directly infringed the '619 Patent in violation of 35 U.S.C. § 271(a);

B. Enter judgment that Delta has infringed the '619 Patent in violation of 35 U.S.C. § 271(g);

C. Permanently enjoin Delta, and its respective officers, agents, servants, employees, attorneys, and all persons in active concert or participation with any of the foregoing, from infringing the '619 Patent in violation of 35 U.S.C. § 271;

D. Permanently enjoin the sale of faucets created using the patented methods of the '619 Patent;

E. Award Pfister its damages in an amount sufficient to compensate Pfister for Delta's infringement of the '619 Patent, together with pre-judgment and post-judgment interest and costs, pursuant to 35 U.S.C. § 284;

F. Declare this case to be "exceptional" under 35 U.S.C. § 285 and award Pfister its attorneys' fees, expenses, and costs incurred in this action; and

G. Award Pfister such other and further relief as this Court deems just and proper.

Dated: November 20, 2013

BARNES & THORNBURG LLP

By _____

Levi W. Heath
Attorneys for Plaintiff
PRICE PFISTER, INC.

DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Pfister respectfully requests a trial by jury of any and all issues on which a trial by jury is available under applicable law.

Dated: November 20, 2013

BARNES & THORNBURG LLP

By _____

Levi W. Heath
Attorneys for Plaintiff
PRICE PFISTER, INC.

Exhibit A

Exhibit A

US007490619B2

(12) United States Patent
Farag et al.

(10) Patent No.: US 7,490,619 B2
(45) Date of Patent: Feb. 17, 2009

(54) **FAUCET ASSEMBLY HAVING A HANDLE SUBASSEMBLY**

(75) Inventors: **Hanna Osama Farag**, Riverside, CA (US); **Scott Calvin Baker**, Mission Viejo, CA (US); **Evan Alan Benstead**, Los Angeles, CA (US)

(73) Assignee: **Newfrey, LLC**, Newark, DE (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 196 days.

(21) Appl. No.: **11/316,274**

(22) Filed: **Dec. 22, 2005**

(65) **Prior Publication Data**

US 2007/0144583 A1 Jun. 28, 2007

(51) **Int. Cl.**
F16K 43/00 (2006.01)

(52) **U.S. Cl.** **137/15.01**; 137/315.01; 137/359

(58) **Field of Classification Search** 137/315.01, 137/15.01, 359, 801, 315.12, 315.15
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

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7,055,545 B2 * 6/2006 Mascari et al. 137/359
7,066,204 B2 * 6/2006 Marty 137/625.11

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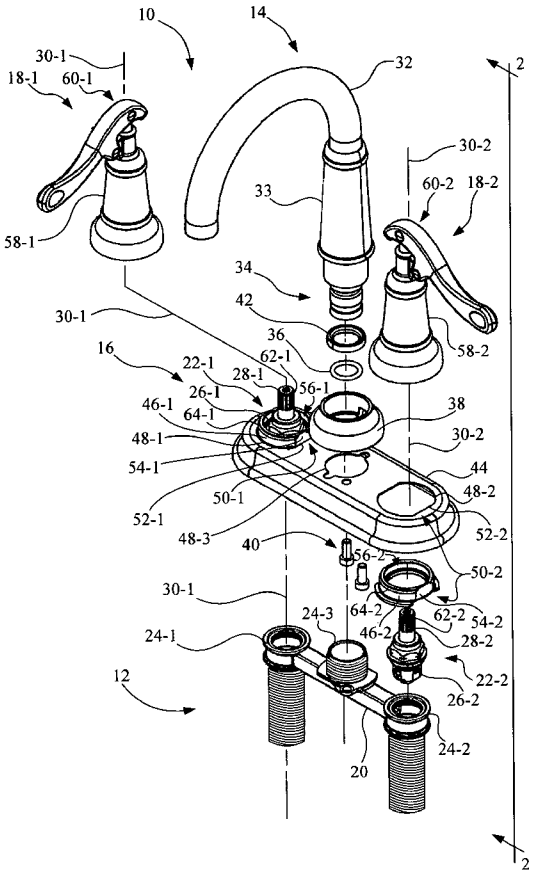
Primary Examiner—Kevin L Lee
(74) *Attorney, Agent, or Firm*—Richard J. Veltman, Esq.; Taylor & Aust, P.C.; Ronald K. Aust, Esq.

(57) **ABSTRACT**

A faucet assembly includes a valve subassembly having a valve mechanism and an actuator having an axis. An underbody includes a valve end body for receiving the valve subassembly for connection thereto. A deck plate is configured for coupling to the underbody. A handle adapter is coupled to said faucet assembly to be non-rotatable with respect to the deck plate. A handle subassembly has a hub and a valve operator. The valve operator is rotatably coupled to the hub. The valve operator is connected to the actuator of the valve subassembly to operate the valve subassembly when the valve operator is rotated about the axis to move in relation to the deck plate. The hub is attached to the deck plate via the handle adapter.

24 Claims, 4 Drawing Sheets



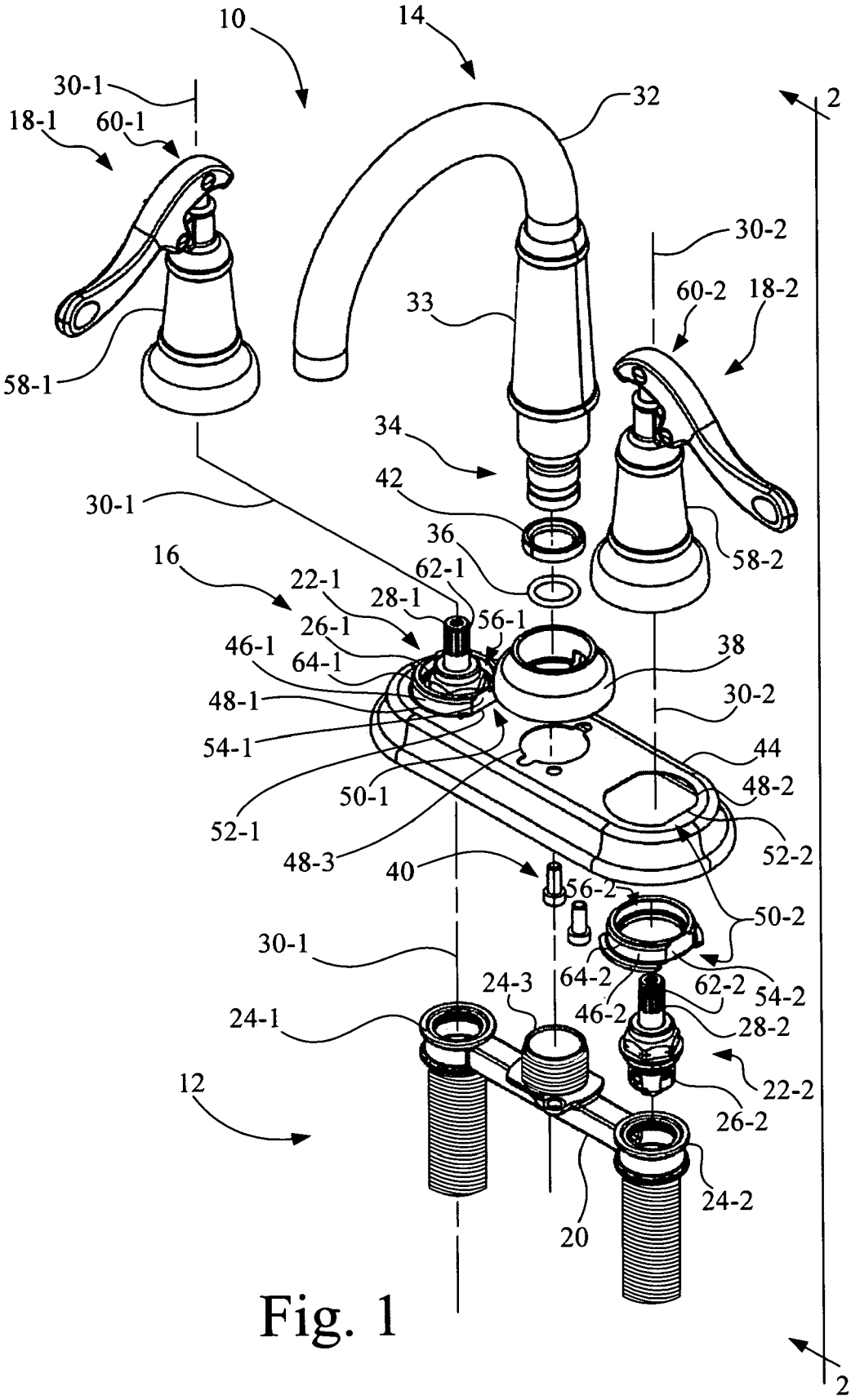

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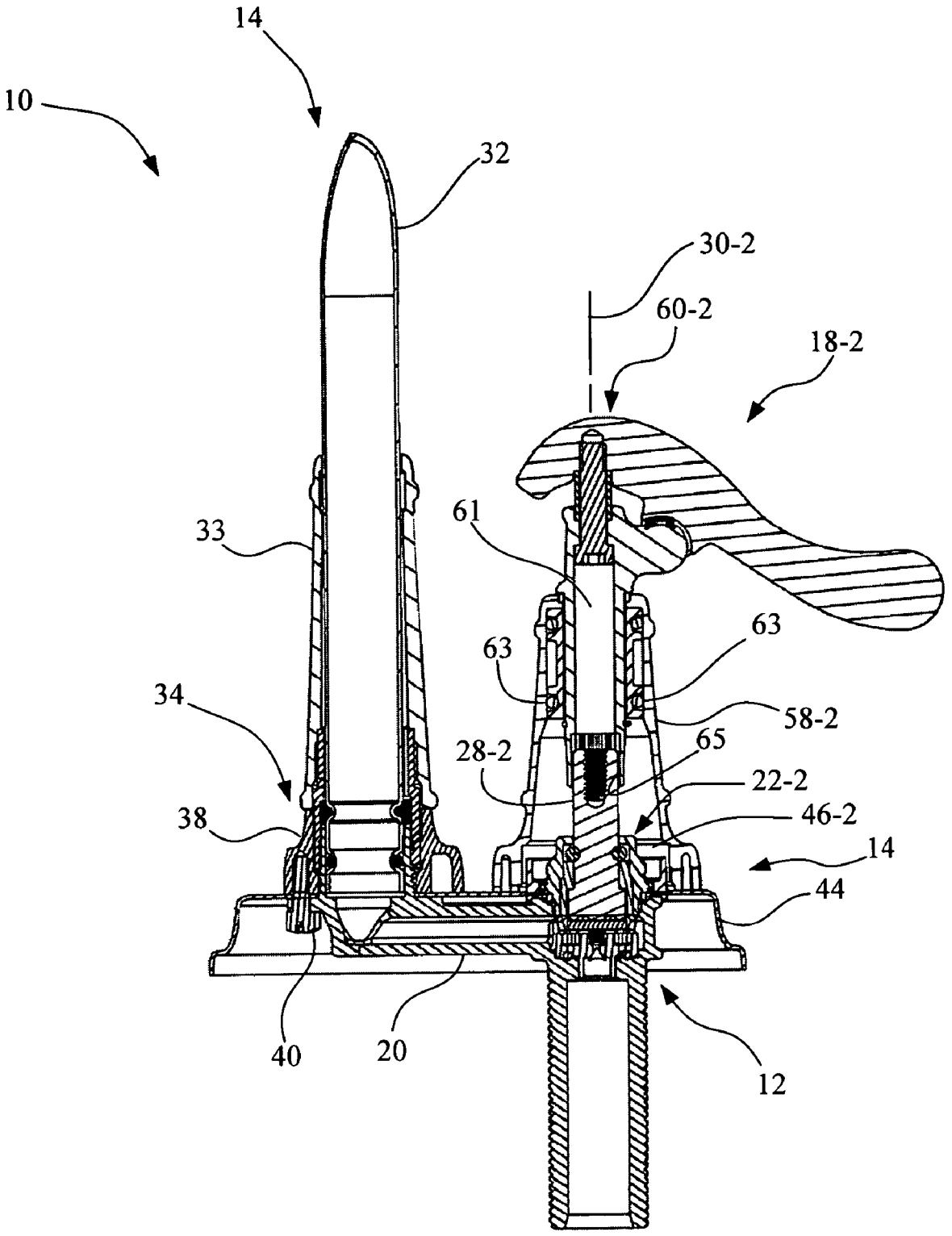
Fig. 1


14
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12

Fig. 2

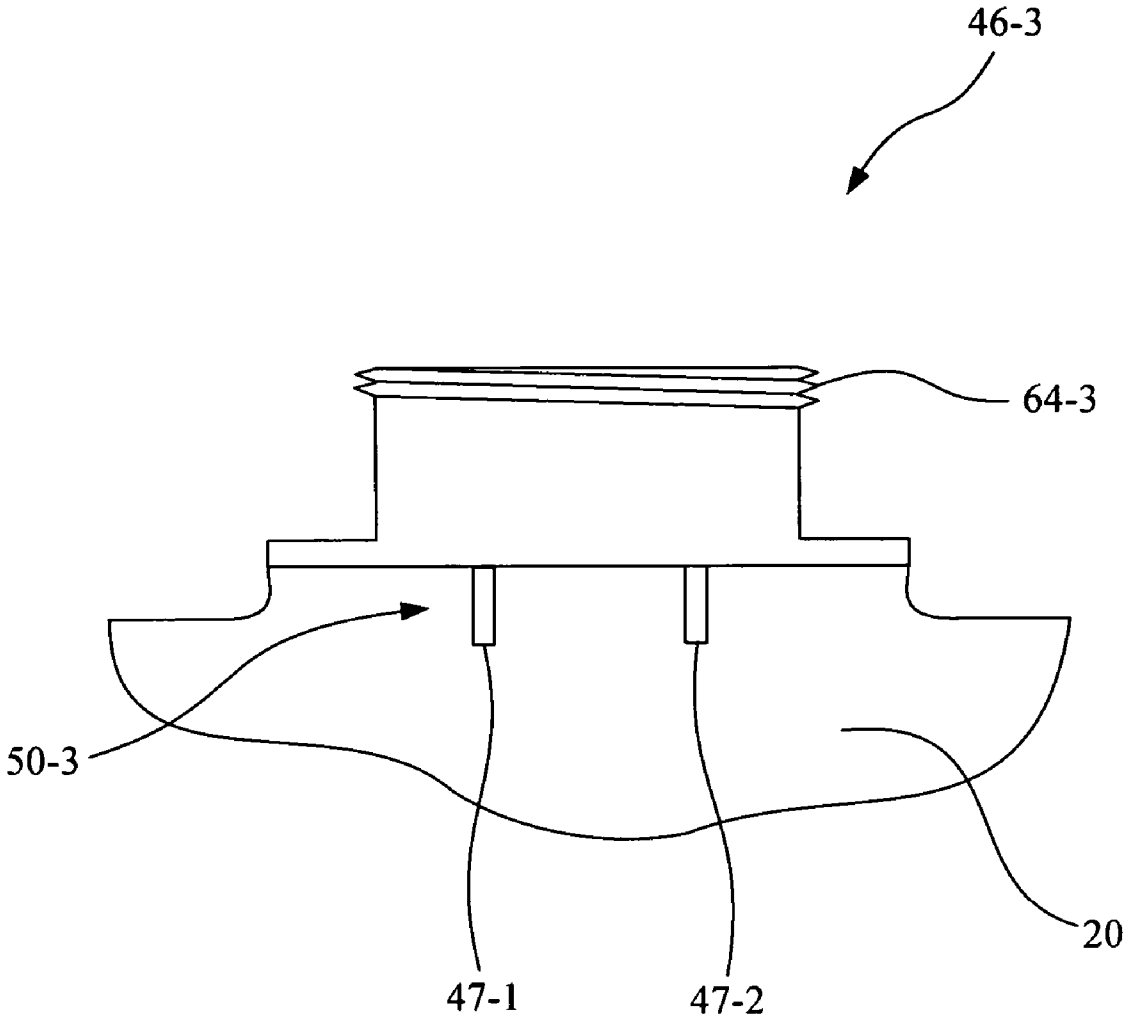

Fig. 3

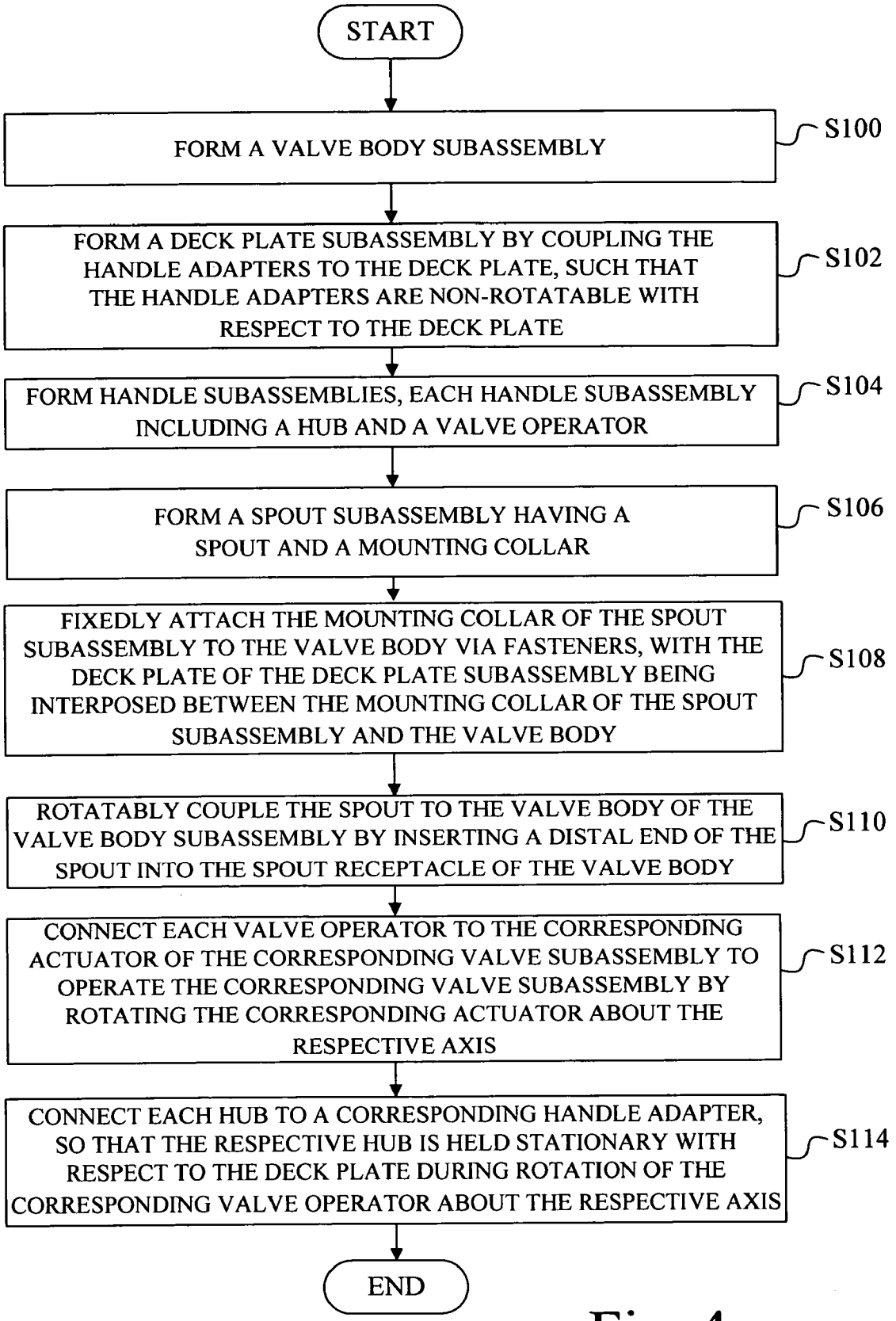
START
FORM A VALVE BODY SUBASSEMBLY
S100
FORM A DECK PLATE SUBASSEMBLY BY COUPLING THE HANDLE ADAPTERS TO THE DECK PLATE, SUCH THAT THE HANDLE ADAPTERS ARE NON-ROTATABLE WITH RESPECT TO THE DECK PLATE
S102
FORM HANDLE SUBASSEMBLIES, EACH HANDLE SUBASSEMBLY INCLUDING A HUB AND A VALVE OPERATOR
S104
FORM A SPOUT SUBASSEMBLY HAVING A SPOUT AND A MOUNTING COLLAR
S106
FIXEDLY ATTACH THE MOUNTING COLLAR OF THE SPOUT SUBASSEMBLY TO THE VALVE BODY VIA FASTENERS, WITH THE DECK PLATE OF THE DECK PLATE SUBASSEMBLY BEING INTERPOSED BETWEEN THE MOUNTING COLLAR OF THE SPOUT SUBASSEMBLY AND THE VALVE BODY
S108
ROTATABLY COUPLE THE SPOUT TO THE VALVE BODY OF THE VALVE BODY SUBASSEMBLY BY INSERTING A DISTAL END OF THE SPOUT INTO THE SPOUT RECEPTACLE OF THE VALVE BODY
S110
CONNECT EACH VALVE OPERATOR TO THE CORRESPONDING ACTUATOR OF THE CORRESPONDING VALVE SUBASSEMBLY TO OPERATE THE CORRESPONDING VALVE SUBASSEMBLY BY ROTATING THE CORRESPONDING ACTUATOR ABOUT THE RESPECTIVE AXIS
S112
CONNECT EACH HUB TO A CORRESPONDING HANDLE ADAPTER, SO THAT THE RESPECTIVE HUB IS HELD STATIONARY WITH RESPECT TO THE DECK PLATE DURING ROTATION OF THE CORRESPONDING VALVE OPERATOR ABOUT THE RESPECTIVE AXIS
S114
END

Fig. 4

FAUCET ASSEMBLY HAVING A HANDLE SUBASSEMBLY

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to a faucet assembly, and, more particularly, to a faucet assembly having a handle subassembly.

2. Description of the Related Art

A faucet assembly typically includes a spout and a pair of valve operators. The valve operators are connected to respective hot and cold water valves, and in turn operate the valves by rotation of the valve operators.

SUMMARY OF THE INVENTION

The invention, in one exemplary form, is directed to a faucet assembly. The faucet assembly includes a valve subassembly. The valve subassembly includes a valve mechanism and an actuator having an axis. The actuator is coupled to the valve mechanism to operate the valve mechanism when the actuator is rotated about the axis. An underbody includes a valve end body for receiving the valve subassembly for connection thereto. A deck plate is configured for coupling to the underbody. The deck plate includes a valve opening. A handle adapter is coupled to the faucet assembly to be non-rotatable with respect to the deck plate. A handle subassembly has a hub and a valve operator. The valve operator is rotatably coupled to the hub. The valve operator is connected to the actuator of the valve subassembly to operate the valve subassembly when the valve operator is rotated about the axis to move in relation to the deck plate. The hub is attached to the deck plate via the handle adapter such that the hub is held stationary with respect to the deck plate during operation of the valve operator.

The invention, in another exemplary form, is directed to a faucet assembly. The faucet assembly includes a valve body subassembly including an underbody configured to receive a plurality of valve subassemblies. Each valve subassembly of the plurality of valve subassemblies includes a valve mechanism and an actuator coupled to the valve mechanism for operating the valve mechanism when the actuator is rotated about a corresponding axis. A deck plate subassembly is attached to the valve body subassembly. The deck plate subassembly includes a deck plate, and a plurality of handle adapters is coupled to the faucet assembly to be non-rotatable with respect to the deck plate and the corresponding axis. Each handle adapter of the plurality of handle adapters has an access opening to permit access to a corresponding valve subassembly of the plurality of valve subassemblies. Each handle subassembly of a plurality of handle subassemblies has a hub and a corresponding valve operator. Each corresponding valve operator is rotatably coupled to the hub. Each valve operator of the plurality of handle subassemblies is coupled to a corresponding actuator of the valve body subassembly to operate a corresponding valve subassembly of the plurality of valve subassemblies by rotating the corresponding actuator about the corresponding axis. Each hub of the plurality of handle subassemblies is connected to a corresponding handle adapter of the deck plate subassembly so as to be held stationary with respect to the deck plate during rotation of the corresponding valve operator about the corresponding axis to operate the corresponding actuator.

The invention, in another exemplary form, is directed to a method of assembling a faucet assembly. The method includes forming a valve body subassembly including an underbody configured to receive at least one valve subassembly, each valve subassembly including a valve mechanism and an actuator having an axis, the actuator being coupled to the valve mechanism to operate the valve mechanism when the actuator is rotated about the axis; forming a deck plate assembly including a deck plate having at least one valve opening, each valve opening in the deck plate being positioned to accommodate a corresponding valve subassembly; coupling at least one handle adapter to the faucet assembly to be non-rotatable with respect to the deck plate and the axis; forming at least one handle subassembly, each the handle subassembly having a hub and a valve operator mechanism, the valve operator mechanism being rotatably coupled to the hub; connecting each valve operator with a corresponding actuator of the corresponding valve subassembly to operate the corresponding valve subassembly by rotating the corresponding actuator about the axis; and connecting each hub to a corresponding handle adapter so that each hub is held stationary with respect to the deck plate during rotation of a corresponding valve operator about the axis.

The invention, in still another exemplary form, is directed to a faucet assembly. The faucet assembly includes a valve subassembly and an underbody. The underbody includes a valve end body for receiving the valve subassembly for connection thereto. A deck plate is configured for coupling to the underbody. The deck plate includes a non-rotatable handle adapter. A handle subassembly has a hub and a valve operator. The hub is attached to the deck plate via the non-rotatable handle adapter such that the hub is held stationary with respect to the deck plate during operation of the valve operator.

BRIEF DESCRIPTION OF THE DRAWINGS

The above-mentioned and other features and advantages of this invention, and the manner of attaining them, will become more apparent and the invention will be better understood by reference to the following description of an embodiment of the invention taken in conjunction with the accompanying drawings, wherein:

FIG. **1** is an exploded view of a faucet assembly configured according to an embodiment of the present invention.

FIG. **2** is an assembled sectional view of the faucet assembly of FIG. **1**.

FIG. **3** is a side view of an alternative embodiment of a handle adapter for use with the faucet assembly of FIG. **1**.

FIG. **4** is a flowchart of an exemplary method for assembling the faucet assembly of FIGS. **1** and **2**.

Corresponding reference characters indicate corresponding parts throughout the several views. The exemplifications set out herein illustrate embodiments of the invention, and such exemplifications are not to be construed as limiting the scope of the invention in any manner.

DETAILED DESCRIPTION OF THE INVENTION

Referring now to the drawings of FIGS. **1** and **2**, there is shown a faucet assembly **10** configured in accordance with an embodiment of the present invention. Faucet assembly **10** includes a valve body subassembly **12**, a spout subassembly **14**, a deck plate subassembly **16**, a handle subassembly **18-1**, and a handle subassembly **18-2**.

Valve body subassembly **12** includes an underbody **20**, a valve subassembly **22-1** and a valve subassembly **22-2**. Underbody **20** includes a valve end body **24-1** configured to attachably receive valve subassembly **22-1**, includes a valve end body **24-2** configured to attachably receive valve subas-

sembly **22-2**, and includes a spout receptacle **24-3** for coupling to spout subassembly **14**. For example, each of valve end bodies **24-1**, **24-2** may-have internal threads and each valve subassemblies **22-1**, **22-2** may have external threads for engaging the external threads of valve end bodies **24-1**, **24-2**, respectively, to accommodate the fastening of valve subassemblies **22-1**, **22-2** to underbody **20**.

Valve subassembly **22-1** includes a valve mechanism **26-1** and an actuator **28-1** coupled to valve mechanism **26-1** to operate valve mechanism **26-1** when actuator **28-1** is rotated about a corresponding axis **30-1**. Valve mechanism **26-1** is configured to provide a variable fluid flow from closed to full open, depending on the rotational position of actuator **28-1** about axis **30-1**. The rotational range of motion of actuator **28-1** from closed to full open may be, for example, a rotation around axis **30-1** of about 90 degrees.

Valve subassembly **22-2** includes a valve mechanism **26-2** and an actuator **28-2** coupled to valve mechanism **26-2** to operate valve mechanism **26-2** when actuator **28-2** is rotated about a corresponding axis **30-2**. Valve mechanism **26-2** is configured to provide a variable fluid flow from closed to full open, depending on the rotational position of actuator **28-2** about axis **30-2**. The rotational range of motion of actuator **28-2** from closed to full open may be, for example, a rotation around axis **30-2** of about 90 degrees.

Spout subassembly **14** includes a spout **32** and a spout nut **33**. Spout **32** has a distal end **34** which, in combination with an O-ring **36**, is received for rotatable coupling to spout receptacle **24-3** of underbody **20**. Spout subassembly **14** further includes a mounting collar **38** that is configured to be fixedly attached to underbody **20** via a set of fasteners, e.g., screws, **40**. Spout **32** is rotatably coupled to spout nut **33** via a retainer clip **42**. Spout nut **33** is then threaded onto underbody **20** at spout receptacle **24-3** to secure spout **32** to underbody **20**. Alternatively, for example, spout nut **33** may be threaded into mounting collar **38**.

Deck plate subassembly **16** includes a deck plate **44**, a handle adapter **46-1** and a handle adapter **46-2**. Deck plate **44** also may be referred to in the art as an escutcheon. Deck plate **44** has a valve opening **48-1**, a valve opening **48-2** and a spout opening **48-3**. Valve opening **48-1** is located in deck plate **44** such that axis **30-1** of valve subassembly **22-1** passes through valve opening **48-1** when deck plate **44** is in its desired position with respect to valve body subassembly **12**. Likewise, valve opening **48-2** is located such that axis **30-2** of valve subassembly **22-2** passes through valve opening **48-2** when deck plate **44** is in its desired position with respect to valve body subassembly **12**.

Handle adapter **46-1** and deck plate **44** may be configured to form an anti-rotation device **50-1** to prevent rotation of handle adapter **46-1** with respect to deck plate **44** about axis **30-1**. Thus, handle adapter **46-1** is coupled to deck plate **44** to be non-rotatable with respect to deck plate **44** and corresponding axis **30-1**. Anti-rotation device **50-1** may be implemented, for example, as a pair of mating flats **52-1**, **54-1** formed at valve opening **48-1** and on an exterior surface of handle adapter **46-1**, respectively. Handle adapter **46-1** has an access opening **56-1** to permit access to corresponding valve subassembly **22-1**.

Likewise, handle adapter **46-2** and deck plate **44** may be configured to form an anti-rotation device **50-2** to prevent rotation of handle adapter **46-2** with respect to deck plate **44** about axis **30-2**. Thus, handle adapter **46-2** is coupled to deck plate **44** to be non-rotatable with respect to deck plate **44** and corresponding axis **30-2**. Anti-rotation device **50-2** may be implemented, for example, as a pair of mating flats **52-2**, **54-2** formed at valve opening **48-2** and on an exterior surface of handle adapter **46-2**, respectively. Handle adapter **46-2** has an access opening **56-2** to permit access to corresponding valve subassembly **22-2**.

Those skilled in the art will recognize that anti-rotation devices **50-1**, **50-2** may be implemented in other forms, such as for example, as a key and slot arrangement. Also, alternatively, deck plate **44** and handle adapters **46-1**, **46-2** may be formed as a unitary structure, such as during a molding or forging process, or permanently attached by welds or adhesive.

As a further alternative, as shown in FIG. **3**, a handle adapter **46-3** has external threads **64-3**, and is configured to be a suitable replacement for handle adapter **46-1** and/or handle adapter **46-2**. Handle adapter **46-3** together with underbody **20** form an anti-rotation device **50-3** to effect an engagement of valve handle adapter **46-3** with underbody **20** to prevent rotation of handle adapter **46-3** with respect to deck plate **44**. For example, as shown in the embodiment of FIG. **3**, handle adapter **46-3** may include one or more prongs **47-1** and **47-2** that engage underbody **20** to prevent rotation of handle adapter **46-3** with respect to deck plate **44** about an axis, e.g., one of axis **30-1** or axis **30-2**. Alternatively, the prong(s) **47-1**, **47-2** may be formed on underbody **20** to engage corresponding recesses in handle adapter **46-3**. During assembly, handle adapter **46-3** would be trapped between deck plate **44** and underbody **20**.

Again referring to FIGS. **1** and **2**, deck plate subassembly **16** is attached to valve body subassembly **12** via the set of fasteners **40**, with deck plate **44** being interposed between mounting collar **38** of spout subassembly **14** and underbody **20** of valve body subassembly **12**. The set of fasteners **40** pass through corresponding holes in underbody **20** and deck plate **44**, and thread into holes in mounting collar **38**.

Handle subassembly **18-1** has a hub **58-1** and a valve operator **60-1**. Valve operator **60-1** is rotatably coupled to hub **58-1**, such that valve operator **60-1** is free to rotate when hub **58-1** is held stationary. Likewise, handle subassembly **18-2** has a hub **58-2** and a valve operator **60-2**. Valve operator **60-2** is rotatably coupled to hub **58-2**, such that valve operator **60-2** is free to rotate when hub **58-2** is held stationary.

As shown in FIG. **2**, for example, with respect to handle subassembly **18-2**, in order to rotatably couple valve operator **60-2** to hub **58-2**, valve operator **60-2** may include a stem **61** that is inserted into hub **58-2**, and configured to receive a retaining ring **63** to limit axial motion of valve operator **60-2** with respect to hub **58-2** and axis **30-2**, while permitting rotational motion of valve operator **60-2** with respect to hub **58-2** about axis **30-2**. Handle subassembly **18-1** may be configured similar to handle subassembly **18-2**.

Referring again to FIG. **1**, valve operator **60-1** includes an opening with internal splines (not shown) that engage external splines **62-1** of actuator **28-1** of valve subassembly **22-1** so as to connect valve operator **60-1** with actuator **28-1**. Hub **58-1** is connected to handle adapter **46-1** in a manner so as to be held stationary with respect to deck plate **44** during operation of valve operator **60-1**. In one embodiment, for example, hub **58-1** of handle subassembly **18-1** may have internal threads and handle adapter **46-1** may have external threads **64-1** configured to engage the internal threads of hub **58-1**, wherein during assembly of faucet assembly **10**, hub **58-1** is threaded onto handle adapter **46-1** and fastened tightly via engagement of the internal threads of hub **58-1** with the external threads **64-1** of handle adapter **46-1**.

Accordingly, during operation, valve operator **60-1** may be rotated about axis **30-1**, i.e., moving in relation to deck plate **44**, which correspondingly rotates actuator **28-1** to operate valve mechanism **26-1** of valve subassembly **22-1**, while hub

58-1 is held stationary with respect to deck plate 44 by the engagement of hub 58-1 with handle adapter 46-1.

Likewise, valve operator 60-2 includes an opening with internal splines 65 (see FIG. 2) that engage external splines 62-2 of actuator 28-2 of valve subassembly 22-2 so as to connect valve operator 60-2 with actuator 28-2. Hub 58-2 is connected to handle adapter 46-2 in a manner so as to be held stationary with respect to deck plate 44 during operation of valve operator 60-2. In one embodiment, for example, hub 58-2 of handle subassembly 18-2 may have internal threads and handle adapter 46-2 may have external threads 64-2 configured to engage the internal threads of hub 58-2, wherein during assembly of faucet assembly 10, hub 58-2 is threaded onto handle adapter 46-2 and fastened tightly via engagement of the internal threads of hub 58-2 with the external threads 64-2 of handle adapter 46-2.

Accordingly, during operation, valve operator 60-2 may be rotated about axis 30-2, i.e., moving in relation to deck plate 44, which correspondingly rotates actuator 28-2 to operate valve mechanism 26-2 of valve subassembly 22-2, while hub 58-2 is held stationary with respect to deck plate 44 by the engagement of hub 58-2 with handle adapter 46-2.

FIG. 4 is a flowchart of an exemplary method for assembling faucet assembly 10. Those skilled in the art will recognize that the order of the steps set forth below may be varied, and the present invention is intended to cover all viable combinations of the following steps, regardless of the actual order used.

At step S100, valve body subassembly 12 is formed.

At step S102, deck plate subassembly 16 is formed by coupling handle adapters 46-1, 46-2 to deck plate 44, such that handle adapters 46-1, 46-2 are non-rotatable with respect to deck plate 44 and corresponding axes 30-1 and 30-2, respectively. Because of handle adapters 46-1, 46-2, deck plate 44 operates as a structural member as opposed to merely a decorative cover, as in conventional faucets.

At step S104, handle subassemblies 18-1, 18-2 are formed, with each handle assembly including a hub and a valve operator. For example, valve operator 60-1 is rotatably coupled to hub 58-1 of handle subassembly 18-1, such that valve operator 60-1 is free to rotate when hub 58-1 is held stationary. Likewise, valve operator 60-2 is rotatably coupled to hub 58-2 of handle subassembly 18-2, such that valve operator 60-1 is free to rotate when hub 58-2 is held stationary.

At step S106, spout subassembly 14 is formed having spout 32 and mounting collar 38.

At step S108, mounting collar 38 of spout subassembly 14 is fixedly attached to underbody 20 via fasteners 40, with deck plate 44 of deck plate subassembly 16 being interposed between mounting collar 38 of spout subassembly 14 and underbody 20. Accordingly, mounting collar 38, i.e., the spout collar, of spout subassembly 14 rigidly couples deck plate 44 to underbody 20, thereby making deck plate 44 a structural member rather than just an esthetic covering for underbody 20. Because of this structural arrangement, handle hubs 58-1, 58-2 of handle subassemblies 18-1, 18-2 attach to deck plate 20 (by way of handle adapters 46-1, 46-2, respectively). In contrast, in conventional faucets, the handle hubs attach to the valves or valve bodies.

At step S110, spout 32 is rotatably coupled to underbody 20 by inserting distal end 34 of spout 32 into spout receptacle 24-3 of underbody 20. Spout nut 33 is then threaded onto underbody 20 at spout receptacle 24-3 to secure spout 32 to underbody 20.

At step S112, valve operator 60-1 is connected to the corresponding actuator 28-1 of the corresponding valve subassembly 22-1 to operate valve subassembly 22-1 by rotating the corresponding actuator 28-1 about axis 30-1. Likewise, valve operator 60-2 is connected to the corresponding actuator 28-2 of valve subassembly 22-2 to operate valve subassembly 22-2 by rotating the corresponding actuator 28-2 about the respective axis 30-2.

At step S114, hub 58-1 is connected to corresponding handle adapter 46-1, so that hub 58-1 is held stationary with respect to deck plate 44 during rotation of the corresponding valve operator 60-1 about axis 30-1. Likewise, hub 58-2 is connected to corresponding handle adapter 46-2, so that hub 58-2 is held stationary with respect to deck plate 44 during rotation of the corresponding valve operator 60-2 about the respective axis 30-2.

Accordingly, during operation of faucet assembly 10, valve operator 60-1 is rotated about axis 30-1, i.e., moving in relation to deck plate 44, which correspondingly rotates actuator 28-1 to operate valve mechanism 26-1 of valve subassembly 22-1, while hub 58-1 is held stationary with respect to deck plate 44 by the engagement of hub 58-1 with handle adapter 46-1. Likewise, valve operator 60-2 is rotated about axis 30-2, i.e., moving in relation to deck plate 44, which correspondingly rotates actuator 28-2 to operate valve mechanism 26-2 of valve subassembly 22-2, while hub 58-2 is held stationary with respect to deck plate 44 by the engagement of hub 58-2 with handle adapter 46-2.

While this invention has been described with respect to embodiments of the invention, the present invention may be further modified within the spirit and scope of this disclosure. This application is therefore intended to cover any variations, uses, or adaptations of the invention using its general principles. Further, this application is intended to cover such departures from the present disclosure as come within known or customary practice in the art to which this invention pertains and which fall within the limits of the appended claims.

What is claimed is:

1. A faucet assembly, comprising:

a valve subassembly, said valve subassembly including a valve mechanism and an actuator having an axis, said actuator being coupled to said valve mechanism to operate said valve mechanism when said actuator is rotated about said axis;

an underbody, said underbody including a valve end body for receiving said valve subassembly for connection thereto;

a deck plate configured for coupling to said underbody, said deck plate including a valve opening;

a handle adapter coupled to said faucet assembly to be non-rotatable with respect to said deck plate; and

a handle subassembly having a hub and a valve operator, said valve operator being rotatably coupled to said hub, said valve operator being connected to said actuator of said valve subassembly to operate said valve subassembly when said valve operator is rotated about said axis to move in relation to said deck plate, and said hub being attached to said deck plate via said handle adapter such that said hub is held stationary with respect to said deck plate during operation of said valve operator,

wherein said handle adapter includes an anti-rotation feature located to engage a portion of at least one of said underbody and said deck plate, said anti-rotation feature and said portion together forming an anti-rotation device to prevent rotation of said handle adapter with respect to said deck plate about said axis.

2. The faucet assembly of claim 1, further comprising:

a spout subassembly having a spout rotatably coupled to said underbody; and

a mounting collar fixedly attached to said underbody, with said deck plate being interposed between said mounting collar and said underbody.

3. The faucet assembly of claim **1**, wherein said handle adapter and said deck plate are configured to form said anti-rotation device to prevent rotation of said handle adapter with respect to said deck plate about said axis.

4. The faucet assembly of claim **1**, wherein said handle adapter and said underbody are configured to form said anti-rotation device to prevent rotation of said handle adapter with respect to said deck plate about said axis.

5. The faucet assembly of claim **1**, wherein said handle adapter and said deck plate are formed as a unitary structure.

6. The faucet assembly of claim **1**, wherein said hub of said handle subassembly has internal threads and said handle adapter has external threads configured to engage said internal threads of said hub, wherein during assembly of said faucet assembly said hub is fastened tightly to said handle adapter via engagement of said internal threads of said hub with said external threads of said handle adapter.

7. The faucet assembly of claim **1**, further comprising:

a second valve subassembly, said second valve subassembly including a second valve mechanism and a second actuator having a second axis, said second actuator being coupled to said second valve mechanism to operate said second valve mechanism when said second actuator is rotated about said second axis;

said underbody including a second valve end body for receiving said second valve subassembly for connection thereto;

said deck plate including a second valve opening, said second axis of said second valve subassembly passing through said second valve opening of said deck plate;

a second handle adapter coupled to said faucet assembly to be non-rotatable with respect to said deck plate; and

a second handle subassembly having a second hub and a second valve operator, said second valve operator being rotatably coupled to said second hub,

said second valve operator being connected to said second actuator of said second valve subassembly to operate said second valve subassembly when said second valve operator is rotated about said second axis to move in relation to said deck plate, and

said second hub being attached to said deck plate via said second handle adapter such that said second hub is held stationary with respect to said deck plate during operation of said second valve operator.

8. The faucet assembly of claim **7**, wherein said second handle adapter includes a portion of an anti-rotation device to prevent rotation of said second handle adapter with respect to said deck plate about said axis.

9. The faucet assembly of claim **7**, wherein said second handle adapter and said deck plate are configured to form an anti-rotation device to prevent rotation of said second handle adapter with respect to said deck plate about said second axis.

10. The faucet assembly of claim **7**, wherein said second handle adapter and said underbody are configured to form an anti-rotation device to prevent rotation of said second handle adapter with respect to said deck plate about said axis.

11. The faucet assembly of claim **7**, wherein said second handle adapter and said deck plate are formed as a unitary structure.

12. The faucet assembly of claim **7**, wherein said second hub of said second handle subassembly has second internal threads and said second handle adapter has second external threads configured to engage said second internal threads of said second hub, wherein during assembly of said faucet assembly said second hub is fastened tightly to said second handle adapter via engagement of said second internal threads of said second hub with said second external threads of said second handle adapter.

13. A faucet assembly, comprising:

a valve body subassembly including an underbody configured to receive a plurality of valve subassemblies, each valve subassembly of said plurality of valve subassemblies including a valve mechanism and an actuator coupled to said valve mechanism for operating said valve mechanism when said actuator is rotated about a corresponding axis;

a deck plate subassembly attached to said valve body subassembly, said deck plate subassembly including a deck plate;

a plurality of handle adapters coupled to said faucet assembly to be non-rotatable with respect to said deck plate and said corresponding axis, each handle adapter of said plurality of handle adapters having an access opening to permit access to a corresponding valve subassembly of said plurality of valve subassemblies; and

a plurality of handle subassemblies, each handle subassembly of said plurality of handle subassemblies having a hub and a corresponding valve operator, each said corresponding valve operator being rotatably coupled to said hub, wherein:

each said valve operator of said plurality of handle subassemblies is coupled to a corresponding actuator of said valve body subassembly to operate a corresponding valve subassembly of said plurality of valve subassemblies by rotating said corresponding actuator about said corresponding axis; and

each hub of said plurality of handle subassemblies is connected to a corresponding handle adapter of said deck plate subassembly so as to be held stationary with respect to said deck plate during rotation of said corresponding valve operator about said corresponding axis to operate said corresponding actuator,

wherein each of said plurality of handle adapters includes an anti-rotation feature located to engage a portion of at least one of said underbody and said deck plate, said anti-rotation feature and said portion together forming an anti-rotation device to prevent rotation of a corresponding handle adapter with respect to said deck plate about said corresponding axis.

14. The faucet assembly of claim **13**, further comprising:

a spout subassembly having a spout rotatably coupled to said underbody; and

a mounting collar fixedly attached to said underbody, with said deck plate of said deck plate assembly being interposed between said mounting collar and said underbody of said valve body subassembly.

15. The faucet assembly of claim **13**, wherein each said handle adapter and said deck plate are configured to form corresponding anti-rotation devices to prevent rotation of each handle adapter of said plurality of handle adapters with respect to said deck plate about said corresponding axis.

16. The faucet assembly of claim **13**, wherein each handle adapter and said underbody are configured to form corresponding anti-rotation devices to prevent rotation of each handle adapter of said plurality of handle adapters with respect to said deck plate about said corresponding axis.

17. The faucet assembly of claim **13**, wherein said plurality of handle adapters and said deck plate are formed as a unitary structure.

18. The faucet assembly of claim **13**, wherein each hub of said plurality of handle subassemblies has internal threads

and a corresponding handle adapter of said plurality of handle adapters has external threads configured to engage said internal threads, wherein during assembly of said faucet assembly said each hub is fastened tightly to said corresponding handle adapter via said internal threads and said external threads.

19. A method of assembling a faucet assembly, comprising:

forming a valve body subassembly including an underbody configured to receive at least one valve subassembly, each valve subassembly including a valve mechanism and an actuator having an axis, said actuator being coupled to said valve mechanism to operate said valve mechanism when said actuator is rotated about said axis;

forming a deck plate assembly including a deck plate having at least one valve opening, each valve opening in said deck plate being positioned to accommodate a corresponding valve subassembly;

coupling at least one handle adapter to said faucet assembly to be non-rotatable with respect to said deck plate and said axis;

forming at least one handle subassembly, each said handle subassembly having a hub and a valve operator mechanism, said valve operator mechanism being rotatably coupled to said hub;

connecting each said valve operator with a corresponding actuator of said corresponding valve subassembly to operate said corresponding valve subassembly by rotating said corresponding actuator about said axis; and

connecting each said hub to a corresponding handle adapter to attach each said hub to said deck plate so that each said hub is held stationary with respect to said deck plate during rotation of a corresponding valve operator about said,

wherein each said handle adapter includes an anti-rotation feature located to engage a portion of at least one of said underbody and said deck plate, said anti-rotation feature and said portion together forming an anti-rotation device to prevent rotation of said each handle adapter with respect to said deck plate about said axis.

20. The method of claim **19**, further comprising:

forming a spout subassembly having a spout and a spout nut;

fixedly attaching a mounting collar to said underbody, with said deck plate of said deck plate subassembly being interposed between said mounting collar and said underbody of said valve body subassembly; and

rotatably coupling said spout to said underbody via said spout nut.

21. The method of claim **19**, wherein each said handle adapter and said deck plate are formed as a unitary structure.

22. The method of claim **19**, wherein the act of connecting each said hub to a corresponding handle adapter is performed by threading said hub onto said corresponding handle adapter until tight.

23. A faucet assembly, comprising:

a valve subassembly, said valve subassembly including a valve mechanism and an actuator having an axis, said actuator being coupled to said valve mechanism to operate said valve mechanism when said actuator is rotated about said axis;

an underbody, said underbody including a valve end body for receiving said valve subassembly for connection thereto;

a deck plate configured for coupling to said underbody, said deck plate including a valve opening;

a handle adapter coupled to said faucet assembly to be non-rotatable with respect to said deck plate;

a handle subassembly having a hub and a valve operator, said valve operator being rotatably coupled to said hub, said valve operator being connected to said actuator of said valve subassembly to operate said valve subassembly when said valve operator is rotated about said axis to move in relation to said deck plate, and said hub being attached to said deck plate via said handle adapter such that said hub is held stationary with respect to said deck plate during operation of said valve operator; and

anti-rotation means for preventing rotation of said handle adapter with respect to said deck plate about said axis.

24. The faucet assembly of claim **23**, wherein said anti-rotation means is integrally formed with said handle adapter and at least one of said underbody and said deck plate.

* * * * *

Exhibit B

Exhibit B

OLMSTED
Two Handle Centerset Lavatory Faucet

Pin it

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Model #: 25717LF-RB
What does this model number mean?

Finish Shown: Venetian® Bronze

List Price as Shown (US $):[1] **$205.20**

Exclusively available at Lowe's.

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Need help with your product?

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Product Q&A

Ask a question. | Follow this product

Product Features and Benefits

- A geometric style with a touch of traditional flare to match any bathroom decor
- Two handle lever design for ease of control
- Features water efficient cache aerator that conserves water without compromising the experience
- Pop-up drain assembly included
- Lifetime Faucet and Finish Warranty

Featured Smart Features:

ADA Compliant

Legislation Compliant

WaterSense® Labeled Product

Water-Efficient Product meeting CALGreen standards

This product meets EPA criteria for WaterSense

Product Support, Repair Parts & Tech Specs

SUPPORT INFORMATION:

Installation Instructions / Owner's Manual

View Download / Print

Technical Specifications

View Download / Print

INSTALLATION INFORMATION

3-hole 4" installation

Number of Handles:	2
Installation Type:	Centerset
Aerator Type:	Cache
Valve Type:	Washerless stem cartridge
Flow Rate:	1.5 gpm @ 60 psi, 5.7 L/min @ 414 kPa
Spout Length:	4-7/8"
Spout Total Height:	6-5/8"
Spout Height Deck to Aerator:	4-1/16"
Drain type:	Plastic pop-up

TROUBLESHOOTING RESOURCES

Installing a Bathroom Faucet Video

Uninstalling a Bathroom Faucet Video

Troubleshoot Your Faucet

Frequently Asked Questions

General Faucet Installation Instructions

View warranty information

Register your product online

Coordinating Items

LAVATORY

Olmsted Two Handle Widespread Lavatory Faucet 35717-RB-DST

Reviews

Be the first to write a review

Customer Q & A

PRODUCT Q&A

Ask a question

1. The manufacturer's list price (U.S. dollars) is shown for comparison only. The actual retail price may be different from the price shown.

DELTA
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OLMSTED
Two Handle Centerset Lavatory Faucet

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Model #: 25717LF-SS
What does this model number mean?

Finish Shown: Stainless

List Price as Shown (US $):[1] **$187.95**

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Product Q&A

Ask a question. | Follow this product

Product Features and Benefits

- A geometric style with a touch of traditional flare to match any bathroom decor
- Two handle lever design for ease of control
- Features water efficient cache aerator that conserves water without compromising the experience
- Pop-up drain assembly included
- Lifetime Faucet and Finish Warranty

Featured Smart Features:

ADA Compliant

Brilliance® Finish

Water-Efficient Product meeting CALGreen standards

WaterSense® Labeled Product

Legislation Compliant

This product meets EPA criteria for WaterSense

Product Support, Repair Parts & Tech Specs

SUPPORT INFORMATION:

Installation Instructions / Owner's Manual

View Download / Print

Technical Specifications

View Download / Print

INSTALLATION INFORMATION

3-hole 4" installation

Number of Handles:	2
Installation Type:	Centerset
Aerator Type:	Cache
Valve Type:	Washerless stem cartridge
Flow Rate:	1.5 gpm @ 60 psi, 5.7 L/min @ 414 kPa
Spout Length:	4-7/8"
Spout Total Height:	6-5/8"
Spout Height Deck to Aerator:	4-1/16"
Drain type:	Plastic pop-up

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LAVATORY

Olmsted Two Handle Widespread Lavatory Faucet 35717-SS-DST

Reviews

Be the first to write a review

Customer Q & A

PRODUCT Q&A

Ask a question

1. The manufacturer's list price (U.S. dollars) is shown for comparison only. The actual retail price may be different from the price shown.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Josephine L. Staton and the assigned Magistrate Judge is Arthur Nakazato .

The case number on all documents filed with the Court should read as follows:

SACV13-1821-JLS (ANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge.

Clerk, U. S. District Court

November 20, 2013
Date

By MDAVIS
Deputy Clerk

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ Western Division
312 N. Spring Street, G-8
Los Angeles, CA 90012

☑ Southern Division
411 West Fourth St., Ste 1053
Santa Ana, CA 92701

☐ Eastern Division
3470 Twelfth Street, Room 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

CIVIL COVER SHEET

CONFORM

I. (a) PLAINTIFFS (Check box if you are representing yourself ☐)

Price Pfister, Inc.

DEFENDANTS (Check box if you are representing yourself ☐)

MASCO Corporation of Indiana, d/b/a Delta Faucet Company

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

Barnes & Thornburg LLP
2029 Century Park East, Ste 300
Los Angeles, CA 90067
(310) 284-3880

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same information.)

II. BASIS OF JURISDICTION (Place an X in one box only.)

- ☐ 1. U.S. Government Plaintiff
- ☒ 3. Federal Question (U.S. Government Not a Party)
- ☐ 2. U.S. Government Defendant
- ☐ 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 one for defendant)

	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. 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. Multi-District Litigation

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check "Yes" only if demanded in complaint.)

CLASS ACTION under F.R.Cv.P. 23: ☐ Yes ☒ No ☐ **MONEY DEMANDED IN COMPLAINT:** $ _____

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Patent infringement pursuant to 35 U.S.C. § 1, et seq.

VII. NATURE OF SUIT (Place an X in one box only).

OTHER STATUTES
- ☐ 375 False Claims Act
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce/ICC Rates/Etc.
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced & Corrupt Org.
- ☐ 480 Consumer Credit
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Info. Act
- ☐ 896 Arbitration
- ☐ 899 Admin. Procedures Act/Review of Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

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 Loan (Excl. Vet.)
- ☐ 153 Recovery of Overpayment of Vet. Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

REAL PROPERTY
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment

REAL PROPERTY CONT.
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

TORTS PERSONAL PROPERTY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Fed. Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury-Med Malpratice
- ☐ 365 Personal Injury-Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

IMMIGRATION
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

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

BANKRUPTCY
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

CIVIL RIGHTS
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accomodations
- ☐ 445 American with Disabilities-Employment
- ☐ 446 American with Disabilities-Other
- ☐ 448 Education

PRISONER PETITIONS

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus/Other
- ☐ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee Conditions of Confinement

FORFEITURE/PENALTY
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

LABOR
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Mgmt. Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Ret. Inc. Security Act

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

FOR OFFICE USE ONLY: Case Number: SACV13-1821

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII. VENUE: Your answers to the questions below will determine the division of the Court to which this case will most likely be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

Question A: Was this case removed from state court? ☐ Yes ☒ No If "no, " go to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	STATE CASE WAS PENDING IN THE COUNTY OF:	INITIAL DIVISION IN CACD IS:
	☐ Los Angeles	Western
	☐ Ventura, Santa Barbara, or San Luis Obispo	Western
	☐ Orange	Southern
	☐ Riverside or San Bernardino	Eastern

Question B: Is the United States, or one of its agencies or employees, a party to this action? ☐ Yes ☒ No If "no, " go to Question C. If "yes," check the box to the right that applies, enter the corresponding division in response to Question D, below, and skip to Section IX.	If the United States, or one of its agencies or employees, is a party, is it:		INITIAL DIVISION IN CACD IS:
	A PLAINTIFF? Then check the box below for the county in which the majority of DEFENDANTS reside.	A DEFENDANT? Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	☐ Los Angeles	☐ Los Angeles	Western
	☐ Ventura, Santa Barbara, or San Luis Obispo	☐ Ventura, Santa Barbara, or San Luis Obispo	Western
	☐ Orange	☐ Orange	Southern
	☐ Riverside or San Bernardino	☐ Riverside or San Bernardino	Eastern
	☐ Other	☐ Other	Western

Question C: Location of plaintiffs, defendants, and claims?	A. Los Angeles County	B. Ventura, Santa Barbara, or San Luis Obispo Counties	C. Orange County	D. Riverside or San Bernardino Counties	E. Outside the Central District of California	F. Other
Indicate the location in which a majority of plaintiffs reside:	☐	☐	☒	☐	☐	☐
Indicate the location in which a majority of defendants reside:	☐	☐	☐	☐	☒	☐
Indicate the location in which a majority of claims arose:	☐	☐	☒	☐	☐	☐

C.1. Is either of the following true? If so, check the one that applies:

☒ 2 or more answers in Column C

☐ only 1 answer in Column C and no answers in Column D

Your case will initially be assigned to the SOUTHERN DIVISION.
Enter "Southern" in response to Question D, below.

If none applies, answer question C2 to the right. →

C.2. Is either of the following true? If so, check the one that applies:

☐ 2 or more answers in Column D

☐ only 1 answer in Column D and no answers in Column C

Your case will initially be assigned to the EASTERN DIVISION.
Enter "Eastern" in response to Question D, below.

If none applies, go to the box below. ↓

Your case will initially be assigned to the WESTERN DIVISION.
Enter "Western" in response to Question D below.

Question D: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Southern

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

IX(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ NO ☐ YES

If yes, list case number(s): _____

IX(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ NO ☐ YES

If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

☐ A. Arise from the same or closely related transactions, happenings, or events; or

☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or

☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or

☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT): _____ DATE: 20 Nov 13

Notice to Counsel/Parties: The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))