| Ca | se 2:08-cv-07260-MMM-AJW Document  | 1 Filed 10/31/08 Page 1 of 13 Page ID #:1 |  |  |  |  |  |
|----|--|---|--|--|--|--|--|
|    |  |   |  |  |  |  |  |
| 1  | <br>  Robert Fish (California State Bar No. 149  | 9711)                                     |  |  |  |  |  |
| 2  | Mei Tsang (California State Bar No. 237959)  Fish & Associates, LLP  2603 Main Street, Suite 1050  Irvine, California 92614-6232  Telephone: 949-253-0944  Facsimile: 949-253-9069 |   |  |  |  |  |  |
| 3  |  |   |  |  |  |  |  |
| 4  |  |   |  |  |  |  |  |
| 5  |  |   |  |  |  |  |  |
| 6  | PARALLAX GROUP INTERNATIONA<br>AND BRUCE THRUSH, an individual   | L, LLC                                    |  |  |  |  |  |
| 7  |  | <b>!</b>                                  |  |  |  |  |  |
| 8  | INITED STATES  | DISTRICT COURT                            |  |  |  |  |  |
| 9  |  | CT OF CALIFORNIA                          |  |  |  |  |  |
| 10 | CENTRAL DISTINC  | CV08-07260 MMM (AJWX)                     |  |  |  |  |  |
| 11 | PARALLAX GROUP<br>INTERNATIONAL, LLC, AND  | Civil Action No.                          |  |  |  |  |  |
| 12 | BRUCE THRUSH, an individual,   | COMPLAINT FOR PATENT<br>INFRINGEMENT      |  |  |  |  |  |
| 13 | Plaintiff,   |   |  |  |  |  |  |
| 14 | V.   | DEMAND FOR JURY TRIAL                     |  |  |  |  |  |
| 15 | MULTY INDUSTRIES, INC. AND   |   |  |  |  |  |  |
| 16 | ROES 1 THROUGH 20,   |   |  |  |  |  |  |
| 17 | Defendants.  |   |  |  |  |  |  |
| 18 |  |   |  |  |  |  |  |
| 19 | INTRODUCTION   |   |  |  |  |  |  |
| 20 | 1. This is an action by Plaintiffs PARALLAX GROUP  |   |  |  |  |  |  |
| 21 | INTERNATIONAL, LLC (hereinafter "Parallax") and Bruce Thrush, collectively   |   |  |  |  |  |  |
| 22 | the "Plaintiffs" against Defendant MULTY INDUSTRIES, INC. (hereinafter,  |   |  |  |  |  |  |
| 23 | "Multy") and ROES 1 through 20.  |   |  |  |  |  |  |
| 24 |  |   |  |  |  |  |  |
| 25 |  |   |  |  |  |  |  |
|    |  |   |  |  |  |  |  |
|    | -1-<br>COMPLAINT FOR PATENT INFRINGEMENT   |   |  |  |  |  |  |

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#### **PARTIES**

- 2. Parallax is a California Limited Liability Corporation with its principal place of business at 940 Calle Amanacer, Suite F, San Clemente, CA 92673. Parallax is in the business of designing, manufacturing, and selling consumer goods, including floor mats, and is currently the owner of a 90% interest in each United States Design Patent No. D532238 and No. D543764.
- 3. Bruce Thrush is a California resident and is the owner of Parallax Group International LLC. Bruce Thrush is the inventor of the subject matter claimed in both patents, and is currently the owner of a 10% interest in each of the patents.
- 4. On information and belief, Multy is a Canadian corporation with its principal place of business at 100 Pippin Road, Concord, Ontario, Canada, L4K 4X9 and also has a principal place of business at 8800 S. Main Street, Eden, NY 14057. Plaintiffs may be without knowledge of the true legal name of Multy and will amend this Complaint upon obtaining such knowledge.
- 5. On information and belief, Multy manufactures, imports, sells and/or distributes residential and/or commercial floor mats to United States based hardware stores. On information and belief, Multy regularly conducts business in California, including selling and/or offering for sale in this Judicial District the products alleged to be infringing herein. On information and belief, Multy derives substantial revenue from the sales of such products in California and in this Judicial District.
- 6. The true names and capacities, whether individual, corporate, associate or otherwise, of defendants ROES 1 through 20, inclusive, are unknown to Plaintiff, which therefore sues said Defendants by such fictitious names. Plaintiffs

will seek leave of this Court to amend this Complaint to include their proper names and capacities when they have been ascertained. Plaintiffs are informed and believe, and based thereon allege, that each of the fictitiously named Defendants participated in and are in some manner responsible for the acts described in this Complaint and the damage resulting therefrom.

7. Plaintiffs allege on information and belief that each of the defendants named herein as ROES 1 through 20, inclusive, performed, participated in, or abetted in some manner, the acts alleged herein, proximately caused the damages alleged herein below, and are liable to Plaintiffs for the damages and relief sought herein.

#### JURISDICTION AND VENUE

- 8. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §1338 (a) (action arising under an Act of Congress relating to patents) and 28 U.S.C. § 1331 (federal question).
- 9. This Court has an independent basis for jurisdiction pursuant to 28 U.S.C. § 1332 because Parallax is of diverse citizenship with Multy, and the matter in controversy exceeds, exclusive of interest and costs, the sum of \$75,000.
- 10. This Court has general and specific personal jurisdiction over Multy in that Multy has purposefully availed itself to this Judicial District by doing business in this Judicial District.
- 11. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b), and 1400(b).

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#### FIRST CLAIM FOR RELIEF

#### **INFRINGEMENT OF THE D532238 PATENT**

- 12. Plaintiffs repeat and reallege the allegations of Paragraphs 1 through 11 as though fully set forth herein.
- 13. United States Patent No. D532238 (hereinafter the '238 Patent) entitled "Floor Matting" was duly and legally issued on November 21, 2006. A true and correct copy of the '238 Patent is annexed to and incorporated herein as Exhibit A.
- 14. Parallax and Bruce Thrush are co-owners by assignment of all right, title and interest in and to the '238 Patent.
- 15. Multy is engaged in at least one of the manufacture, import, export, offer for sale, sale, and/or distribution of floor mats that infringe the claim of the '238 Patent ("the '238 Infringed Products").
- 16. These activities constitute at least one of direct infringement, contributory infringement and inducement to infringe, literally and/or under the doctrine of equivalence, all in violation of 35 U.S.C. §271.
- 17. Among other things, Multy is selling and distributing the '238 Infringed Products to and through retail stores in the United States, including this Judicial District.
- 18. As a direct and proximate result of Multy's infringement as alleged herein, Plaintiffs have incurred, and continue to incur, substantial damages in an amount according to proof at trial. Plaintiffs will continue to be so damaged and irreparably injured unless such infringing activities are enjoined by this Court.
- 19. The infringing activities of Multy have been and continue to be, willful and deliberate, entitling Plaintiffs to increased damages under 35 U.S.C. §284 and making this case exceptional within the meaning of 35 U.S.C. §285.

20. Wherefore, Plaintiffs request judgment against Multy as set forth in the prayer below.

#### SECOND CLAIM FOR RELIEF

#### **INFRINGEMENT OF THE D 543764 PATENT**

- 21. Plaintiffs repeat and reallege the allegations of Paragraphs 1 through 20 as though fully set forth herein.
- 22. United States Patent No. D 543764 (hereinafter the '764 Patent) entitled "Resilient Mat" was duly and legally issued on June 5, 2007. A true and correct copy of the '764 Patent is annexed hereto and incorporated herein as Exhibit B.
- 23. Parallax and Bruce Thrush are co-owners by assignment of all right, title and interest in and to the '764 Patent.
- 24. Multy is engaged in at least one of the manufacture, import, export, offer for sale, sale, and/or distribution of floor mats that infringe the claim of the '764 patent ("the '764 Infringed Products").
- 25. These activities constitute at least one of direct infringement, contributory infringement, and inducement to infringe, literally and/or under the doctrine of equivalence, all in violation of 35 U.S.C. §271.
- 26. Among other things, Multy is selling and distributing the '764 Infringed Products to and through retail stores in the United States, including this Judicial District.
- 27. As a direct and proximate result of Multy's infringement as alleged herein, Plaintiffs have incurred, and continue to incur, substantial damages in an amount according to proof at trial. Plaintiffs will continue to be so damaged and irreparably injured unless such infringing activities are enjoined by this Court.

- 28. The infringing activities of Multy have been and continue to be, willful and deliberate, entitling Plaintiffs to increased damages under 35 U.S.C. §284 and making this case exceptional within the meaning of 35 U.S.C. §285.
- 29. Wherefore, Plaintiffs request judgment against Multy as set forth in the prayer below.

#### PRAYER FOR RELIEF

- 30. WHEREFORE, Plaintiffs pray that this Court:
- A) Find that the '238 Patent has been infringed as alleged herein;
- B) Find that the '764 Patent has been infringed as alleged herein;
- C) Award damages adequate to compensate Plaintiffs for infringement, but not less than a reasonable royalty for the use made of inventions claimed in the '238 Patent or the '764 Patent, together with interest, including prejudgment interest, and costs as fixed by the Court;
- D) Find that infringement of the '238 Patent and the '764 Patent has been willful and deliberate;
- E) Award Plaintiffs increased damages, costs, expenses, and attorneys' fees pursuant to 35 U.S.C. §§284 and 285 because of the willful and deliberate nature of the infringements;
- F) Permanently enjoin Multy, and their officers, agents, servants, employees and affiliates, as well as all others in active concert or participation with it as to any of the foregoing, from infringing, contributing to the infringement of, and inducing the infringement of the '238 Patent and the '764 Patent;

Award Plaintiffs such other and further relief as this Court may deem G) just and proper. Respectfully submitted, Dated: October 31, 2008 Robert D. Fish, Esq. Fish & Associates, LLP 2603 Main Street, Suite 1050 Irvine, CA. 92614-6232 

**DEMAND FOR JURY TRIAL** 

Pursuant to Local Rule 38-1 of the Local Rules of the United States District Court for the Central District of California, Plaintiffs hereby demand a jury trial in this action.

Dated: October 31, 2008

Respectfully submitted,

Robert D. Fish, Esq. Fish & Associates, LLP 2603 Main Street, Suite 1050 Irvine, CA. 92614-6232

#### UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA

#### NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Margaret M. Morrow and the assigned discovery Magistrate Judge is Andrew J. Wistrich.

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

CV08- 7260 MMM (AJWx)

| Di                          |   |                    | -07 of the United States Distri<br>te Judge has been designated t               |        |  |
|-----------------------------|---|--------------------|---|--------|--|
|                             | otions.   | ,                  |   |        | •  |
|                             |   |                    |   |        |  |
|                             |   |                    |   |        |  |
| A                           | l discovery related motions   | shou               | ld be noticed on the calendar of  | of the | Magistrate Judge   |
|                             |   |                    |   |        |  |
|                             |   |                    |   |        |  |
|                             |   |                    |   |        |  |
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| _                           | ==  | ===                |   | ==     |  |
|                             |   |                    | NOTICE TO COUNSEL   |        |  |
| A co <sub>l</sub><br>filed, | by of this notice must be served was a copy of this notice must be serven | rith the<br>red or | e summons and complaint on all defo<br>n all plaintiffs).                       | endan  | ts (if a removal action is   |
| Subs                        | equent documents must be filed a  | at the             | following location:   |        |  |
| [X]                         | Western Division<br>312 N. Spring St., Rm. G-8<br>Los Angeles, CA 90012   |                    | Southern Division<br>411 West Fourth St., Rm. 1-053<br>Santa Ana, CA 92701-4516 |        | Eastern Division<br>3470 Twelfth St., Rm. 134<br>Riverside, CA 92501 |
|                             |   |                    |   |        |  |
|                             |   |                    |   |        |  |

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

| Robert Fish (California State Bar No. 149711)<br>Mei Tsang (California State Bar No. 237959)  |   |
|---|---|
| Fish & Associates, PC   |   |
| 2603 Main Street, Suite 1050<br>Irvine, CA 92614  |   |
| 11 vine, 6/1 /2014  |   |
|   | DISTRICT COURT CT OF CALIFORNIA   |
| PARALLAX GROUP INTERNATIONAL, LLC,<br>AND BRUCE THRUSH, AN INDIVIDUAL<br>PLAINTIFF(S)   | CV08-07260 MMM (AJWX)   |
| WULTY INDUSTRIES, INC. AND ROES 1 THROUGH 20  | ·   |
| DEFENDANT(S).   | SUMMONS   |
|   |   |
| TO: DEFENDANT(S): MULTY INDUSTRIES, INC  A lawsuit has been filed against you.  | <u>.                                    </u>  |
| Within 20 days after service of this summon must serve on the plaintiff an answer to the attached or counterclaim cross-claim or a motion under Rule 12 or motion must be served on the plaintiff's attorney, Rol | of the Federal Rules of Civil Procedure. The answer opert D. Fish, whose address is |
| Dated: (JCTOBER 31, 2008  | Clerk, U.S. District Court  By:  Letter Ray Speputy Clerk                           |
|   | (Seal of the Court)   |
| [Use 60 days if the defendant is the United States or a United States 60 days by Rule 12(a)(3)].  | agency, or is an officer or employee of the United States. Allowed                  |
| CV-01A (12/07) SUMMO  | ONS   |

| Mei Tsang (California State Bar No. 149/11) Mei Tsang (California State Bar No. 237959) Fish & Associates, PC 2603 Main Street, Suite 1050 Irvine, CA 92614                           |   |  |  |
|---|---|--|--|
|   | DISTRICT COURT<br>CT OF CALIFORNIA  |  |  |
| PARALLAX GROUP INTERNATIONAL, LLC,<br>AND BRUCE THRUSH, AN INDIVIDUAL<br>PLAINTIFF(S)<br>v.   | CASE NUMBER  CV08-07260 MMM (AJWX)  |  |  |
| MULTY INDUSTRIES, INC. AND ROES 1 THROUGH 20  DEFENDANT(S).   | SUMMONS   |  |  |
| must serve on the plaintiff an answer to the attached $\square$ counterclaim $\square$ cross-claim or a motion under Rule 12 or motion must be served on the plaintiff's attorney, Ro | 2 of the Federal Rules of Civil Procedure. The answer bert D. Fish , whose address is |  |  |
| Dated: <u>Worth Ben31,20</u> 8  | By: Deputy Clerk  (Seal of the Court)   |  |  |
| [Use 60 days if the defendant is the United States or a United States 60 days by Rule 12(a)(3)].  | agency, or is an officer or employee of the United States. Allowed                    |  |  |
| CV-01A (12/07) SUMM   | ONS   |  |  |

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

| I (a) PLAINTIFFS (Check bo<br>PARALLAX GROUP<br>THRUSH, AN INDIV   | ox if you are representing yourself<br>INTERNATIONAL, LLC, A<br>IDUAL  | □)<br>ND BRUCE   | DEFENDANTS MULTY INDUSTRIES, INC. AND ROES 1 THROUGH 20   |   |   |  |
|--|--|--|---|---|---|--|
| (b) County of Residence of Fir<br>ORANGE   | st Listed Plaintiff (Except in U.S.  | Plaintiff Cases):  | County of Residence of First Listed Defendant (In U.S. Plaintiff Cases Only): N/A   |   |   |  |
| (c) Attorneys (Firm Name, Adyourself, provide same.) Fish & Associates, PC 2603 Main Street, Suit Irvine, CA 92614 Tel (949) 253-0944  |  | you are representing   | Attorneys (If Known)  |   |   |  |
| II. BASIS OF JURISDICTIO   | N (Place an X in one box only.)  |  | NSHIP OF PRINCIPAL PAR'n X in one box for plaintiff and c   |   | es Only   |  |
| □ 1 U.S. Government Plaintiff  | ■ 3 Federal Question (U.S. Government Not a Party  | (Citizen of Thi  |   | DEF  Incorporated or of Business in the   |   |  |
| ☐ 2 U.S. Government Defendant  | nt 4 Diversity (Indicate Citiz<br>of Parties in Item III)  | '  | other State 2  Spect of a Foreign Country 3   | of Business in A  | d Principal Place □ 5 😿 5 nother State □ 6 □ 6  |  |
| IV. ORIGIN (Place an X in or   | ne box only.)  | 1  |   |   | w v Lv  |  |
| V. Original Proceeding   □ 2 Removed from Proceeding   □ 3 Remanded from Appellate Court   □ 4 Reinstated or Reopened   □ 5 Transferred from another district (specify): □ 6 Multi- □ 7 Appeal to District   □ 6 Multi- □ 7 Appeal to District   □ 8 |  |  |   |   |   |  |
| V. REQUESTED IN COMPL<br>CLASS ACTION under F.R.C  | AINT: JURY DEMAND: 🔽   |  | es' only if demanded in compla  MONEY DEMANDED IN C   |   | ing to Proof  |  |
|  | te the U.S. Civil Statute under wh   |  |   |   |   |  |
| Complaint for false desi   | ignation of origin, false description of origin, false description (15 U.S.C.§1120); Unfair company to the comp | ptions and dilution (  | 15 U.S.C. §1125(a)(1)(A), 1   | 125(a)(1)(B), 1125(c) ar  | and 1125(d)); False or  |  |
| VII. NATURE OF SUIT (Plac  | e an X in one box only.)   |  |   |   | mericana maria  |  |
| OTHER STATUTES   | CONTRACT   | TORTS  | TORTS   | PRISONER  | LABOR   |  |
| ☐ 400 State Reapportionment  | □ 110 Insurance  | PERSONAL INJU  | 1   | PETITIONS   | ☐ 710 Fair Labor Standards  |  |
| ☐ 410 Antitrust  | ☐ 120 Marine   | ☐ 310 Airplane   | PROPERTY  | ☐ 510 Motions to  | Act   |  |
| ☐ 430 Banks and Banking ☐ 450 Commerce/ICC   | ☐ 130 Miller Act<br>☐ 140 Negotiable Instrument  | ☐ 315 Airplane Proc<br>Liability   | luct 370 Other Fraud 371 Truth in Lending   | Vacate Sentence<br>Habeas Corpus  | ☐ 720 Labor/Mgmt. Relations   |  |
| Rates/etc.   | ☐ 150 Recovery of  | ☐ 320 Assault, Libe  | ,   | ☐ 530 Generat   | □ 730 Labor/Mgmt.   |  |
| ☐ 460 Deportation  | Overpayment &  | Slander  |   | ☐ 535 Death Penalty   | Reporting &   |  |
| ☐ 470 Racketeer Influenced<br>and Corrupt  | Enforcement of Judgment  | ☐ 330 Fed. Employe Liability   | ers' 385 Property Damage<br>Product Liability   | U 540 Mandamus/<br>Other  | Disclosure Act ☐ 740 Railway Labor Act  |  |
| Organizations  | ☐ 151 Medicare Act   | □ 340 Marine   | BANKRUPTCY  | ☐ 550 Civil Rights  | 790 Other Labor   |  |
| ☐ 480 Consumer Credit  | ☐ 152 Recovery of Defaulted  | ☐ 345 Marine Produ   | , ,,  | ☐ 555 Prison Condition  | Litigation  |  |
| ☐ 490 Cable/Sat TV ☐ 810 Selective Service   | Student Loan (Excl. Veterans)  | Liability  ☐ 350 Motor Vehicl  | 158<br>e □ 423 Withdrawal 28  | FORFEITURE /<br>PENALTY   | 791 Empl. Ret. Inc.   |  |
|  | vereinis)  | 1 330 motor remer  | C 10 725 Williama 20  | 11/14/21/21   | Security Act  |  |
| /Exchange  | ☐ 153 Recovery of  | ☐ 355 Motor Vehicl   | e USC 157   | ☐ 610 Agriculture   | PROPERTY RIGHTS   |  |
|  | Overpayment of   | Product Liabi  | lity CIVIL RIGHTS   | ☐ 620 Other Food &  | □ 820 Copyrights  |  |
| ☐ 875 Customer Challenge 12  | Overpayment of Veteran's Benefits  | Product Liabi ☐ 360 Other Persona  | lity CIVIL RIGHTS   | ☐ 620 Other Food & Drug   | S20 Copyrights S830 Patent  |  |
|  | Overpayment of   | Product Liabi  | lity CIVIL RIGHTS  1 441 Voting  1 442 Employment   | ☐ 620 Other Food &  | ☐ 820 Copyrights  [7/830 Patent ☐ 840 Trademark   |  |
| □ 875 Customer Challenge 12<br>USC 3410<br>□ 890 Other Statutory Actions<br>□ 891 Agricultural Act   | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product   | Product Liabi  ☐ 360 Other Persona Injury ☐ 362 Personal Injur Med Malprac   | lity CIVIL RIGHTS  1 441 Voting 442 Employment 443 Housing/Acco- mmodations   | ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC   | □ 820 Copyrights  [▼830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ff)  |  |
| □ 875 Customer Challenge 12<br>USC 3410<br>□ 890 Other Statutory Actions<br>□ 891 Agricultural Act<br>□ 892 Economic Stabilization   | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability   | Product Liabi  □ 360 Other Persona Injury □ 362 Personal Injury  Med Malprac □ 365 Personal Injury   | lity CIVIL RIGHTS    441 Voting   | ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC 881   | □ 820 Copyrights  [▼830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ft) □ 862 Black Lung (923)   |  |
| □ 875 Customer Challenge 12<br>USC 3410<br>□ 890 Other Statutory Actions<br>□ 891 Agricultural Act   | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product   | Product Liabi  ☐ 360 Other Persona Injury ☐ 362 Personal Injur Med Malprac   | CIVIL RIGHTS  | ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC   | □ 820 Copyrights  [▼830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ff)  |  |
| □ 875 Customer Challenge 12<br>USC 3410<br>□ 890 Other Statutory Actions<br>□ 891 Agricultural Act<br>□ 892 Economic Stabilization<br>Act<br>□ 893 Environmental Matters<br>□ 894 Energy Allocation Act  | Overpayment of Veteran's Benefits  160 Stockholders' Suits  190 Other Contract Liability  196 Franchise REAL PROPERTY  210 Land Condemnation   | Product Liabi  360 Other Persona Injury  362 Personal Injury  Med Malprac  Product Liabi  Product Liabi  368 Asbestos Personal Injury Product    | lity CIVIL RIGHTS    441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with   Disabilities - Employment   446 Employment   447 Employment   448 Employment   448 Employment   449 Employment | ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 630 Liquor Laws ☐ 640 R.R. & Truck ☐ 650 Airline Regs   | □ 820 Copyrights  □ 830 Patent □ 840 Trademark  |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act □ 895 Freedom of Info. Act  | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure   | Product Liabi  360 Other Personal Injury  362 Personal Injur Med Malprac  55 Personal Injur Product Liabi Asbestos Pers Injury Product Liability | lity CIVIL RIGHTS    441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with   Disabilities - Employment   446 American with   | ☐ 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                            | □ 820 Copyrights  □ 840 Trademark  SOCIAL SECURITY  □ 861 HIA (1395if)  □ 862 Black Lung (923)  □ 863 DIWC/DIWW  (405(g))  □ 864 SSID Title XVI  □ 865 RSI (405(g))   |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act   | Overpayment of Veteran's Benefits  160 Stockholders' Suits  190 Other Contract Liability  196 Franchise REAL PROPERTY  210 Land Condemnation   | Product Liabi  360 Other Personal Injury  362 Personal Injur Med Malprac  55 Personal Injur Product Liabi Asbestos Pers Injury Product Liability | lity CIVIL RIGHTS    441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with   Disabilities - Employment   446 Employment   447 Employment   448 Employment   448 Employment   449 Employment | ☐ 620 Other Food & Drug ☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 630 Liquor Laws ☐ 640 R.R. & Truck ☐ 650 Airline Regs   | □ 820 Copyrights  [▼830 Patent □ 840 Trademark  |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act □ 895 Freedom of Info. Act □ 900 Appeal of Fee Determination Under Equal Access to Justice  | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 1210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 1245 Tort Product Liability   | Product Liabi  360 Other Personal Injury  362 Personal Injur Med Malprac  55 Personal Injur Product Liabi Asbestos Pers Injury Product Liability | lity   CIVIL RIGHTS   441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with   Disabilities - Employment   446 American with   Disabilities - Other   440 Other Civil   | ☐ 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              | □ \$20 Copyrights  □ \$40 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)  |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act □ 895 Freedom of Info. Act □ 900 Appeal of Fee Determination Under Equal  | Overpayment of Vcteran's Benefits  160 Stockholders' Suits 190 Other Contract 155 Contract Product Liability 166 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land  | Product Liabi  360 Other Personal Injury  362 Personal Injur Med Malprac  55 Personal Injur Product Liabi Asbestos Pers Injury Product Liability | lity CIVIL RIGHTS  1 441 Voting  442 Employment  443 Housing/Accommodations  444 Welfare  445 American with Disabilities - Employment  446 American with Disabilities - Other   | ☐ 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              | □ 820 Copyrights  □ 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  |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act □ 895 Freedom of Info. Act □ 900 Appeal of Fee Determination Under Equal Access to Justice □ 950 Constitutionality of State Statutes  | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 1210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 1245 Tort Product Liability   | Product Liabi  360 Other Persona Injury  362 Personal Injury  Med Malprac  Garage Product Liabi  368 Asbestos Personal Injury Product Liability  | lity   CIVIL RIGHTS   441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with Disabilities - Employment   446 American with Disabilities - Other   440 Other Civil Rights  | □ 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 | □ \$20 Copyrights  [▼830 Patent □ 840 Trademark  SOCIAL SECURITY □ 861 HIA (1395ft) □ 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 |  |
| □ 875 Customer Challenge 12 USC 3410 □ 890 Other Statutory Actions □ 891 Agricultural Act □ 892 Economic Stabilization Act □ 893 Environmental Matters □ 894 Energy Allocation Act □ 895 Freedom of Info. Act □ 900 Appeal of Fee Determination Under Equal Access to Justice □ 950 Constitutionality of State Statutes  | Overpayment of Veteran's Benefits  160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise REAL PROPERTY 210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property   | Product Liabi  360 Other Persona Injury  362 Personal Injury  Med Malprac  Garage Product Liabi  368 Asbestos Personal Injury Product Liability  | lity   CIVIL RIGHTS   441 Voting   442 Employment   443 Housing/Accommodations   444 Welfare   445 American with Disabilities - Employment   446 American with Disabilities - Other   440 Other Civil Rights  | □ 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 | 320 Copyrights     7830 Patent     840 Trademark     861 HIA (1395f)     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         |  |

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

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

| VIII(b). RELATED CASES                                       | S: Have any cases been pr   | eviously filed that are related to the present cas   | e? ⋠No □ Yes   |                     |
|--|---|--|--|---------------------|
| If yes, list case number(s):                                 |   |  |  |                     |
| Civil cases are deemed relat<br>(Check all boxes that apply) | ☐ A. Arise from the sam ☐ B. Call for determinan ☐ C. For other reasons v | ne or closely related transactions, happenings, c<br>tion of the same or substantially related or simi<br>would entail substantial duplication of labor if h | lar questions of law and fact; or  |                     |
| IX. VENUE: List the Califord  ☐ Check here if the U.S. gove  |   |  | intiff resides (Use an additional sheet if necessary)  |                     |
| ORANGE COUNTY  |   |  |  |                     |
|  |   |  |  |                     |
| ☐ Check here if the U.S. go                                  |   | nia, in which EACH named defendant resides. mployees is a named defendant.   | (Use an additional sheet if necessary).  |                     |
| , NEW YORK   |   |  |  |                     |
|  |   |  |  |                     |
| List the California County, Note: In land condemnation c     |   | fornia, in which <b>EACH</b> claim arose. (Use an a se tract of land involved.   | dditional sheet if necessary)  |                     |
| Likely other counties a                                      | cross the United States   |  |  |                     |
|  | A ch  | 560  | 10/3,0   | C8                  |
| X. SIGNATURE OF ATTO   | PRNEY (OR PRO PER):   |  | Date   |                     |
| or other papers as require                                   | ed by law. This form, appr  | roved by the Judicial Conference of the United   | herein neither replace nor supplement the filing and se<br>States in September 1974, is required pursuant to Loc<br>I docket sheet. (For more detailed instructions, see sep | cal Rule 3-1 is not |
| Key to Statistical codes relatir                             | ng to Social Security Cases   | S:   |  |                     |
| Nature of Suit   | Code Abbreviation   | Substantive Statement of Cause of Action   | ı  |                     |
| 861  | НІА   | •  | edicare) under Title 18, Part A, of the Social Security arising facilities, etc., for certification as providers of social Security  | ,                   |
| 862  | BL  | All claims for "Black Lung" benefits under (30 U.S.C. 923)   | Title 4, Part B, of the Federal Coal Mine Health and S   | Safety Act of 1969. |
| 863  | DIWC  | *  | oility insurance benefits under Title 2 of the Social Se<br>surance benefits based on disability. (42 U.S.C. 405(  | •                   |
| 863  | DIWW  | All claims filed for widows or widowers ins Act, as amended. (42 U.S.C. 405(g))  | urance benefits based on disability under Title 2 of the   | e Social Security   |
| 864  | SSID  | All claims for supplemental security income Security Act, as amended.  | e payments based upon disability filed under Title 16 o  | of the Social       |
| 865  | RSI   | All claims for retirement (old age) and surv U.S.C. (g))   | vors benefits under Title 2 of the Social Security Act,  | as amended. (42     |
|  |   |  |  |                     |

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