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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

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11 *Deckers Outdoor Corporation*

12 UNITED STATES DISTRICT COURT
13 CENTRAL DISTRICT OF CALIFORNIA

14 **CV12-11022** -GMK
15 (PSW)

16 DECKERS OUTDOOR CORPORATION,)
17 a Delaware Corporation,)
18)
19 Plaintiff,)
20)
21 v.)
22)
23 MINNETONKA MOCCASIN)
24 COMPANY, INC., a Minnesota)
25 Corporation; and DOES 1-10, inclusive,)
26)
27 Defendants.)

28 CASE NO. CV
COMPLAINT FOR DAMAGES:
1. PATENT INFRINGEMENT;
2. COMMON LAW UNFAIR
COMPETITION
JURY TRIAL DEMANDED

18 Plaintiff **Deckers Outdoor Corporation** for its claims against Defendant
19 **Minnetonka Moccasin Company, Inc.** respectfully alleges as follows:

20 **JURISDICTION AND VENUE**

21 1. Plaintiff files this action against Defendant for patent infringement arising
22 under the patent laws of the United States. This Court has subject matter jurisdiction
23 over the claims alleged in this action pursuant to 28 U.S.C. §§ 1331, 1338.

24 2. This Court has personal jurisdiction over Defendant because Defendant
25 does business within this judicial district.

26 3. This action arises out of wrongful acts by Defendant within this judicial
27 district and Plaintiff is located and has been injured in this judicial district by
28

1 Defendant's alleged wrongful acts. Venue is proper in this district pursuant to 28
2 U.S.C. § 1391 because the claims asserted arise in this district.

3 **THE PARTIES**

4 4. Plaintiff Deckers Outdoor Corporation ("Deckers") is a corporation
5 organized and existing under the laws of the state of Delaware with an office and
6 principal place of business in Goleta, California. Deckers designs and markets
7 footwear identified by its famous UGG® trademark and other famous trademarks.

8 5. Upon information and belief, Defendant Minnetonka Moccasin Company,
9 Inc. is a corporation duly organized and existing under the laws of the State of
10 Minnesota with an office and principal place of business at 1113 East Hennepin
11 Avenue, Minneapolis, Minnesota 55414.

12 6. Plaintiff is unaware of the names and true capacities of Defendants,
13 whether individual, corporate and/or partnership entities, named herein as DOES 1
14 through 10, inclusive, and therefore sues them by their fictitious names. Plaintiff will
15 seek leave to amend this complaint when their true names and capacities are
16 ascertained. Plaintiff is informed and believes and based thereon alleges that said
17 Defendant and DOES 1 through 10, inclusive, are in some manner responsible for the
18 wrongs alleged herein, and that at all times referenced each was the agent and servant
19 of the other Defendant and was acting within the course and scope of said agency and
20 employment.

21 7. Plaintiff is informed and believes, and based thereon alleges, that at all
22 relevant times herein, Defendant and DOES 1 through 10, inclusive, knew or
23 reasonably should have known of the acts and behavior alleged herein and the damages
24 caused thereby, and by their inaction ratified and encouraged such acts and behavior.
25 Plaintiff further alleges that Defendant and DOES 1 through 10, inclusive, have a non-
26 delegable duty to prevent or not further such acts and the behavior described herein,
27 which duty Defendant and DOES 1 though 10, inclusive, failed and/or refused to
28 perform.

1 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

2 **A. Deckers' UGG® Brand**

3 8. Deckers has become well known throughout the United States and
4 elsewhere as a source of high quality footwear products identified at least by its
5 UGG® brand of premium footwear.

6 9. Deckers' UGG® products are distributed and sold to consumers through
7 retailers throughout the United States at point of sale and on the Internet, including
8 through its website www.uggaustralia.com.

9 10. Deckers has spent substantial time, effort, and money in designing,
10 developing, advertising, promoting, and marketing its famous UGG® Australia line of
11 footwear. Deckers' efforts have been successful and Deckers has sold a substantial
12 amount of UGG® Australia footwear.

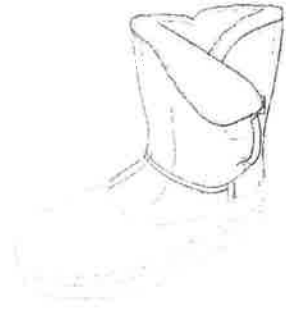
13 11. Many of Deckers' UGG® footwear designs are protected by design
14 patents issued by the United States Patent and Trademark Office, which include but is
15 not limited to U.S. Reg. No. D599,999 for the "Single Bailey Button Boot" (issued on
16 September 15, 2009). Attached hereto and incorporated herein as Exhibit 1 is a true
17 and correct copy of the design patent registration for Deckers' Single Bailey Button
18 Boot.

19 12. Deckers is the lawful assignee of all right, title, and interest in and to the
20 design patent for the Single Bailey Button Boot.

21 **B. Defendant's Infringement of the Single Bailey Button Boot Design**
22 **Patent**

23 13. Upon information and belief, Plaintiff hereon avers that Defendant
24 Minnetonka Moccasin Company, Inc. ("Minnetonka") is in the business of
25 manufacturing, designing, advertising, distributing, and selling footwear under the
26 brand name "MINNETONKA." Defendant's footwear is available for sale at various
27 retail stores nationwide, including many located within this judicial district.

1 14. It has recently come to Plaintiff's attention that Defendant has offered and
2 is currently advertising, offering for sale, and selling footwear bearing a design that
3 infringes upon Plaintiff's Single Bailey Button Boot Design Patent ("Infringing
4 Products")



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10 **Ugg Design Patent No. D599,999**



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12
13 **Minnetonka's Boot**

14 15. Deckers has not granted a license or any other form of permission to
15 Defendant with respect to the Single Bailey Button Boot design.

16
17 **FIRST CLAIM FOR RELIEF**

18 **(Patent Infringement – 35 U.S.C. § 271)**

19 16. Plaintiff incorporates herein by reference the averments of the preceding
20 paragraphs as though fully set forth herein.

21 17. Plaintiff Deckers Outdoor Corporation is the owner by assignment of all
22 right, title and interest in and to the design patent for the Single Bailey Button Boot.

23 18. Defendant has knowingly and intentionally manufactured, caused to be
24 produced, distributed, advertised, marketed, offered for sale, and/or sold footwear that
25 infringes upon the design patent for the Single Bailey Button Boot in direct violation
26 of 35 U.S.C. § 271.

27 19. Defendant's use of the Single Bailey Button Boot design is without
28 Plaintiff's permission or authority and is in total disregard of Plaintiff's right to control
its intellectual property.

20. As a direct and proximate result of Defendant's infringing conduct,
Plaintiff has been injured and will continue to suffer injury to its business and

1 reputation unless Defendant is restrained by this Court from infringing Plaintiff's
2 design patents.

3 21. Defendant's acts have damaged and will continue to damage Plaintiff, and
4 Plaintiff has no adequate remedy at law.

5 22. On information and belief, Defendant's acts herein complained of
6 constitute willful acts and intentional infringement of the Single Bailey Button Boot
7 design.

8 23. In light of the foregoing, Plaintiff is entitled to injunctive relief
9 prohibiting Defendant from using the Single Bailey Button Boot design and to recover
10 from Defendant all damages, including attorneys' fees, that Plaintiff has sustained and
11 will sustain as a result of such infringing acts, and all gains, profits and advantages
12 obtained by Defendant as a result thereof, in an amount to be determined, which
13 amount can be trebled under 35 U.S.C. § 284.

14 **SECOND CLAIM FOR RELIEF**

15 **Unfair Competition Under California Common Law**

16 24. Plaintiff incorporates herein by reference the averments of the preceding
17 paragraphs as though fully set forth herein.

18 25. Defendant's infringement of Plaintiff's Single Bailey Button Boot design
19 constitutes unfair competition in violation of the common law of the State of
20 California.

21 26. Plaintiff has no adequate remedy at law to compensate it fully for the
22 damages that have been caused and which will continue to be caused by Defendant's
23 infringing conduct, unless it is enjoined by this Court.

24 27. In light of the foregoing, Plaintiff is entitled to injunctive relief
25 prohibiting Defendant from using the Single Bailey Button Boot design, and to recover
26 all damages, including attorneys' fees, that Plaintiff has sustained and will sustain, and
27 all gains, profits and advantages obtained by Defendant as a result of its infringing acts
28 alleged above in an amount not yet known, and the costs of this action.

1 Infringing Products and related items, including all advertisements, promotional and
2 marketing materials therefore, as well as means of making same;

3 4. Ordering Defendant to file with this Court and serve on Plaintiff within
4 thirty (30) days after entry of the injunction a report in writing, under oath setting forth
5 in detail the manner and form in which Defendant has complied with the injunction;

6 5. Ordering an accounting by Defendant of all gains, profits and advantages
7 derived from their wrongful acts;

8 6. Awarding Plaintiff all of Defendant's profits and all damages sustained by
9 Plaintiff as a result of Defendant's wrongful acts, and such other compensatory
10 damages as the Court determines to be fair and appropriate;

11 7. Increasing the damages up to three times the amount found or assessed
12 under 35 U.S.C. § 284;

13 8. Awarding applicable interest, costs, disbursements and attorneys' fees;

14 9. Finding that this is an exceptional case under 35 U.S.C. § 285 and
15 awarding attorneys' fees there under;

16 10. Awarding Plaintiff's punitive damages in connection with its claims under
17 California law; and

18 11. Such other relief as may be just and proper.
19

20 Dated: December 28, 2012

BLAKELY LAW GROUP

21
22 By:



23 Brent H. Blakely
24 Cindy Chan
25 *Attorneys for Plaintiff*
26 *Deckers Outdoor Corporation*
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DEMAND FOR JURY TRIAL

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff hereby demands a trial by jury as to all claims in this litigation.

Dated: December 28, 2012

BLAKELY LAW GROUP

By: 

Brent H. Blakely
Cindy Chan
Attorneys for Plaintiff
Deckers Outdoor Corporation



US00D599999S

(12) **United States Design Patent**
MacIntyre

(10) **Patent No.:** **US D599,999 S**
(45) **Date of Patent:** **** Sep. 15, 2009**

(54) **PORTION OF A FOOTWEAR UPPER**

EP 00718002-0006 4/2007

(75) Inventor: **Jennifer MacIntyre**, Santa Barbara, CA (US)

(73) Assignee: **Deckers Outdoor Corporation**, Goleta, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/326,868**

(22) Filed: **Oct. 27, 2008**

(51) **LOC (9) Cl.** **02-99**

(52) **U.S. Cl.** **D2/970; D2/911; D2/946**

(58) **Field of Classification Search** **D2/896, D2/909-915, 946, 970, 973, 974; 36/45, 36/50.1, 83, 3 A, 7.1 R, 113**

See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

D125,568 S *	3/1941	Hard	.....	D2/911
D155,573 S *	10/1949	Bingham	.....	D2/910
D159,577 S *	8/1950	Stromberg	.....	D2/900
D159,761 S *	8/1950	Barron	.....	D2/910
D227,197 S *	6/1973	Fukuoka	.....	D2/910
D319,332 S *	8/1991	Itzkowitz	.....	D2/910
D481,863 S *	11/2003	Belley et al.	.....	D2/970
D529,269 S *	10/2006	Belley et al.	.....	D2/970
D539,024 S	3/2007	Belley et al.		
D581,140 S	11/2008	Earle		

FOREIGN PATENT DOCUMENTS

DE 40702148 8/2007

1 Claim, 6 Drawing Sheets

OTHER PUBLICATIONS

UGG Australia, Bipster model, p. 1, Oct. 3, 2008.
UGG Australia, Henry model, p. 1, Oct. 3, 2008.
UGG Australia, Erin model, p. 1, Oct. 3, 2008.
UGG Australia, Cove model, p. 1, Oct. 27, 2008.
UGG Australia, Kona model, p. 1, Oct. 27, 2008.
Catalogue Moscow Shoes, summer 2006, p. 2 top center.
Steve Madden MISSYY Brown Suede boot, www.jildorshoes.com, Dec. 9, 2008.

* cited by examiner

Primary Examiner—Stella M Reid

Assistant Examiner—Rashida C McCoy

(74) *Attorney, Agent, or Firm*—Greer, Burns & Crain, Ltd.

(57) **CLAIM**

The ornamental design for a portion of a footwear upper, as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a portion of a footwear upper showing my new design;

FIG. 2 is a side elevational view thereof;

FIG. 3 is an opposite side elevational view thereof;

FIG. 4 is a front elevational view thereof;

FIG. 5 is a rear elevational view thereof;

FIG. 6 is a top plan view thereof; and,

FIG. 7 is a bottom plan view thereof.

The broken lines in FIGS. 1-7 represent portions of the footwear that form no part of the claimed design. The broken line which defines the bounds of the claimed design forms no part thereof.



EXHIBIT 1

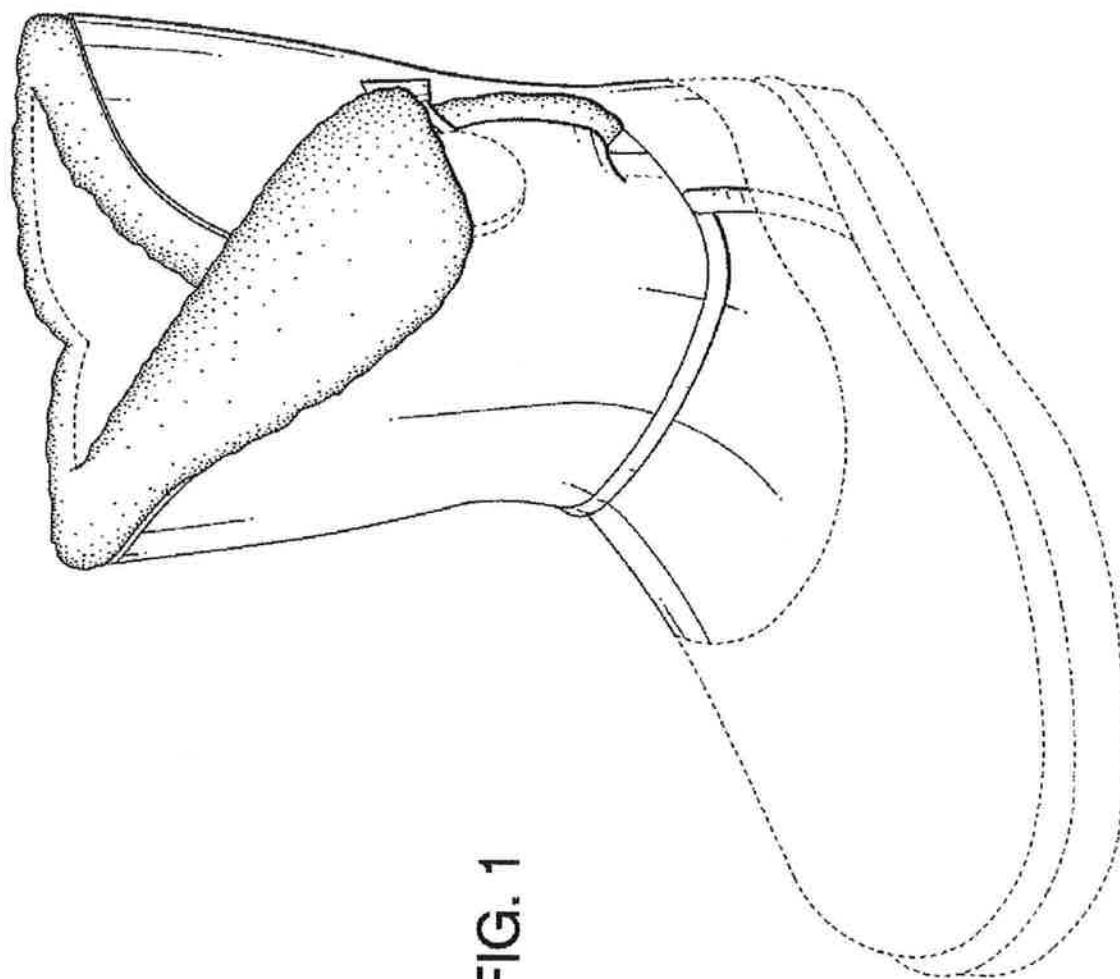


FIG. 1

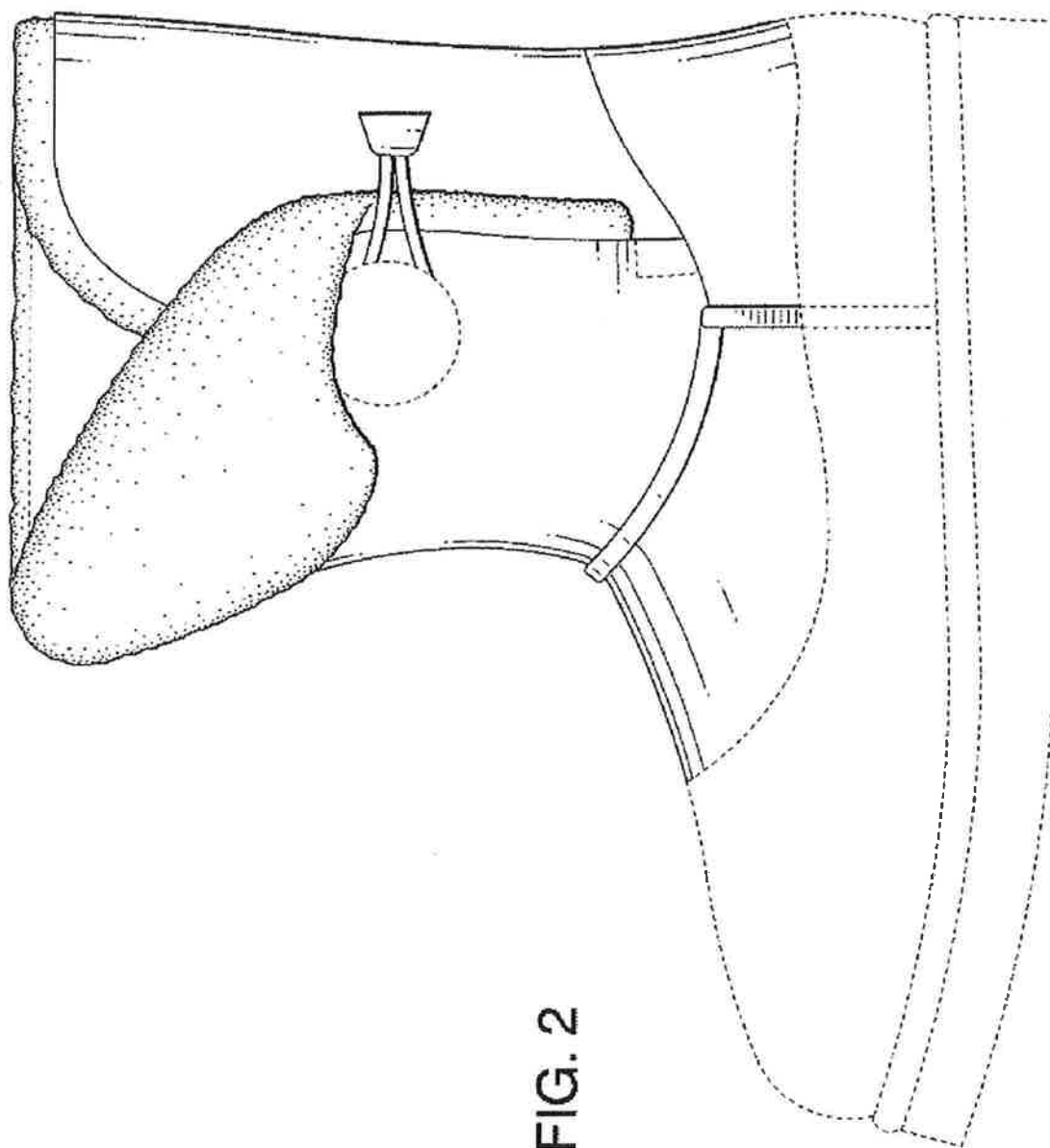


FIG. 2

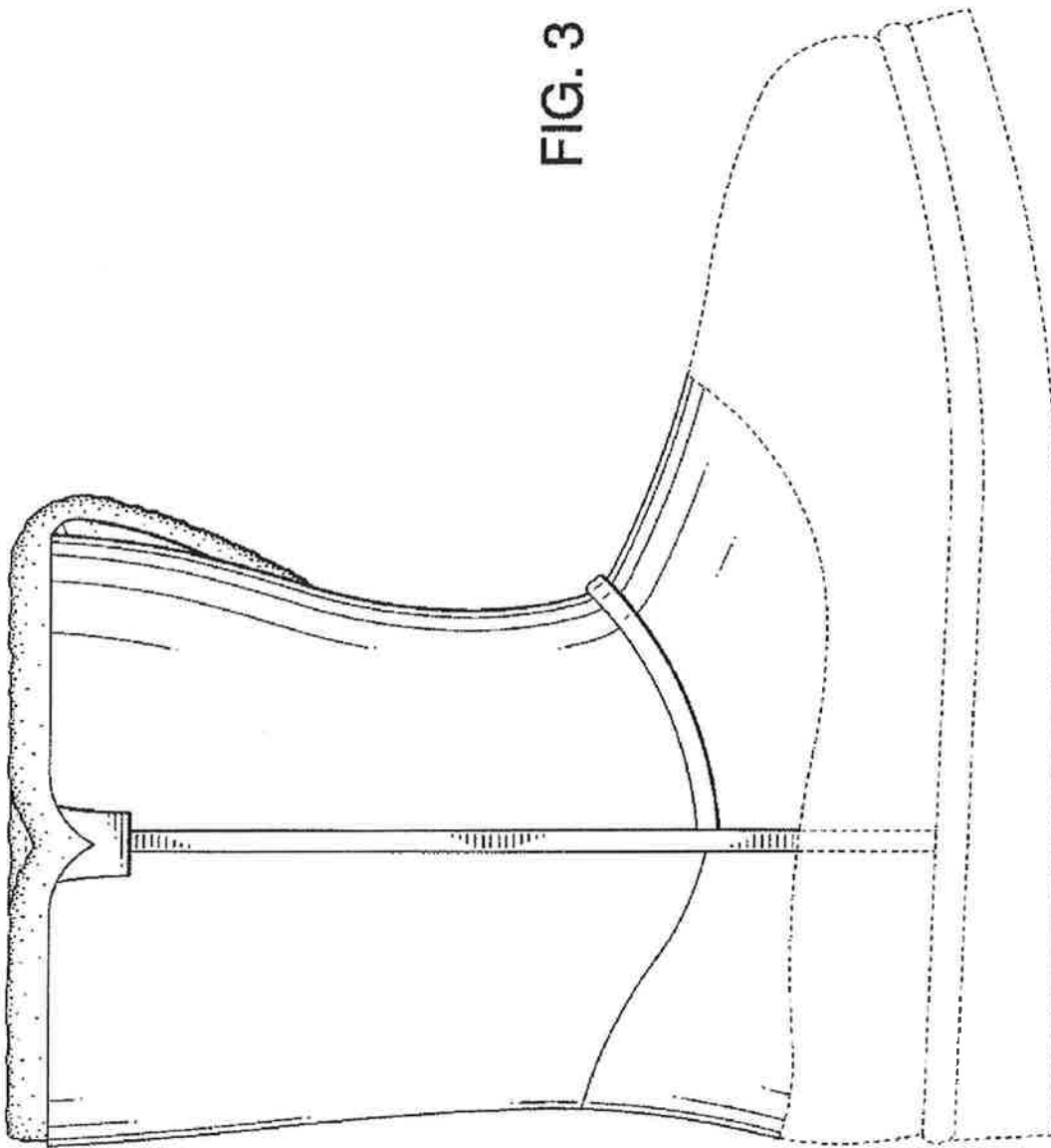


FIG. 3

FIG. 5

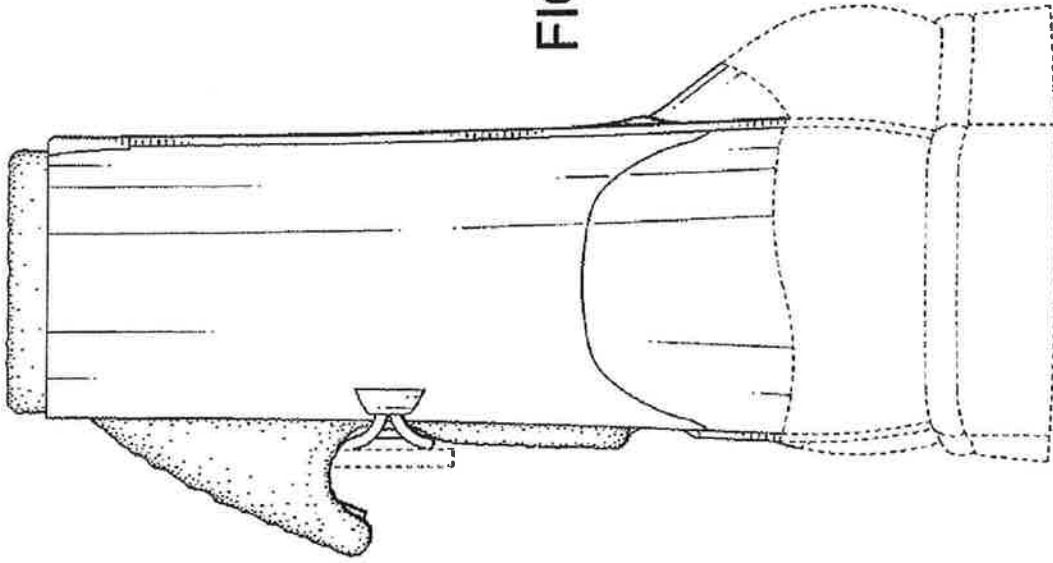
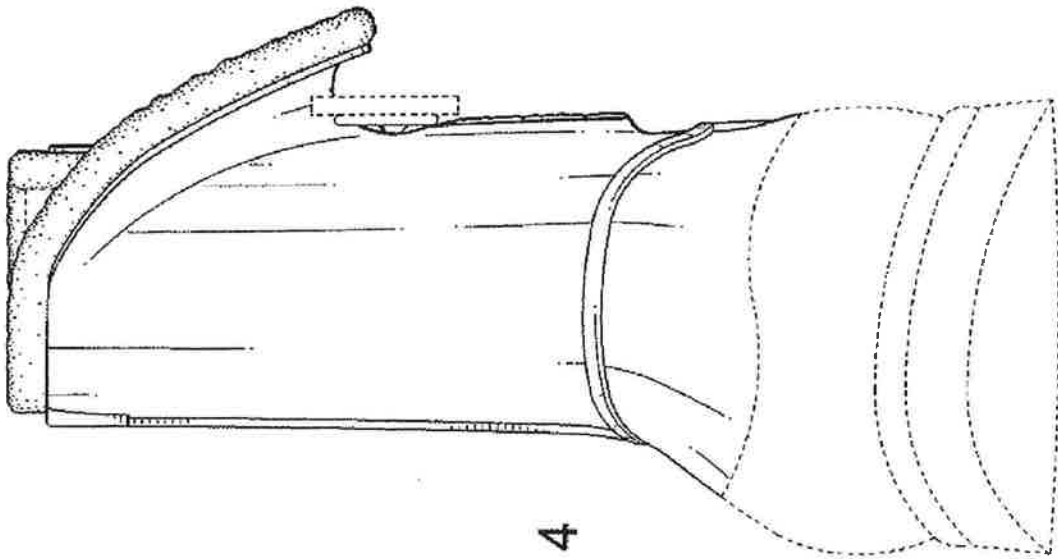


FIG. 4



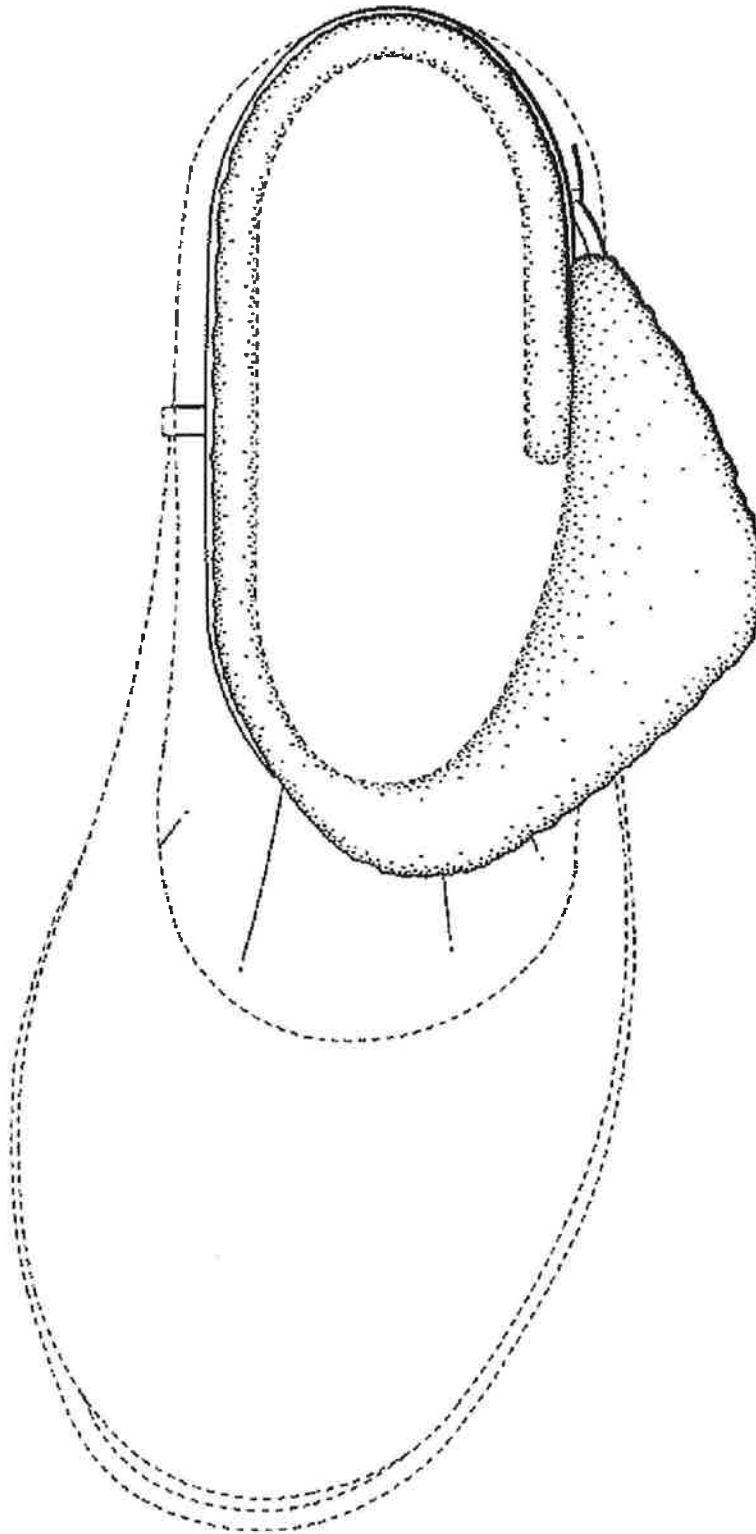


FIG. 6

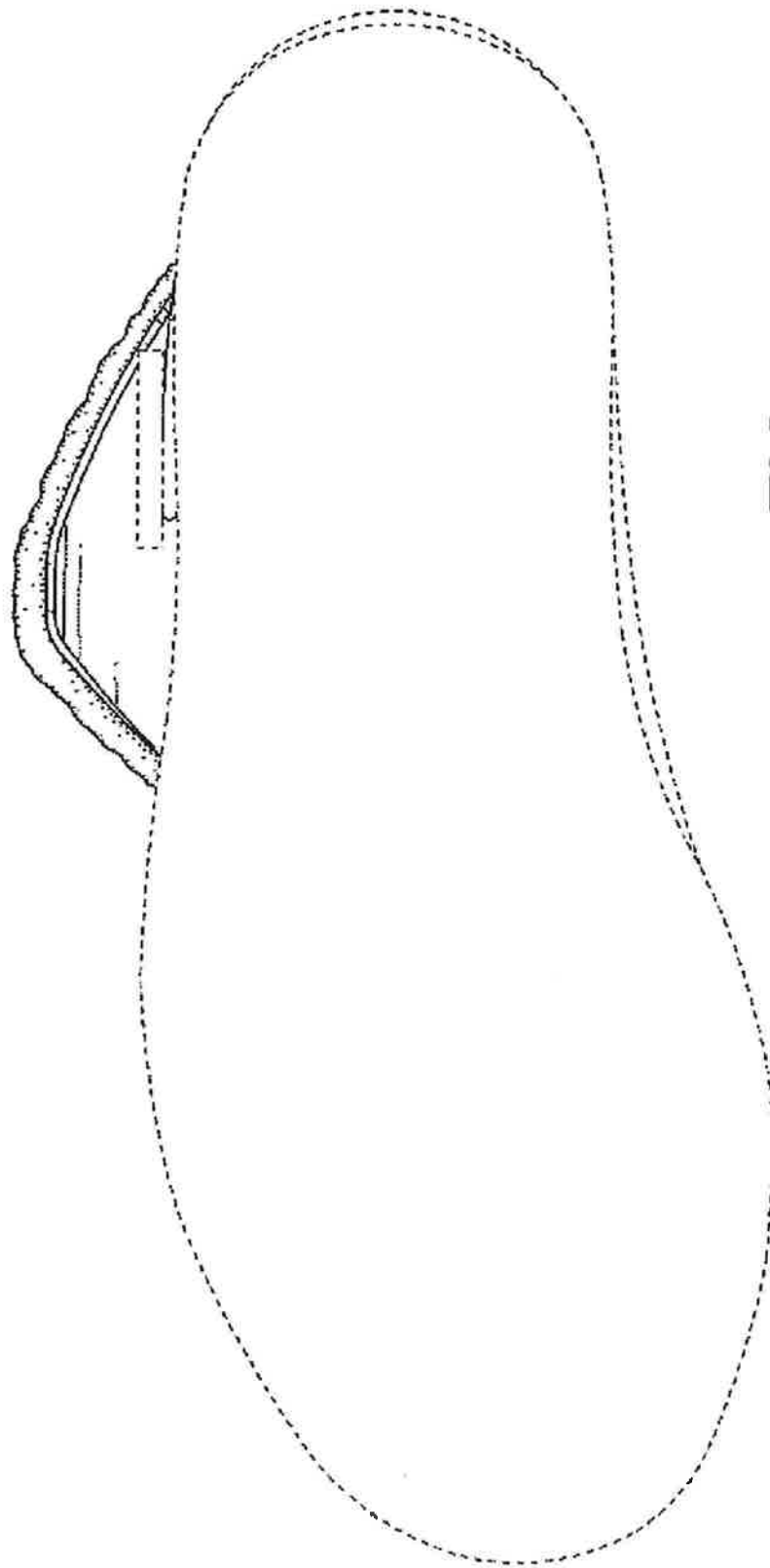


FIG. 7

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

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) DECKERS OUTDOOR CORPORATION	DEFENDANTS MINNETONKA MOCCASIN COMPANY, INC.
(b) Attorneys (Firm Name, Address and Telephone Number, If you are representing yourself, provide same.) BLAKELY LAW GROUP 915 North Citrus Avenue, Hollywood, California 90038 Telephone: (323) 464-7400	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 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.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td align="center"><input type="checkbox"/> 1</td> <td align="center"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td align="center"><input type="checkbox"/> 4</td> <td align="center"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td align="center"><input type="checkbox"/> 2</td> <td align="center"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td align="center"><input type="checkbox"/> 5</td> <td align="center"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td align="center"><input type="checkbox"/> 3</td> <td align="center"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td align="center"><input type="checkbox"/> 6</td> <td align="center"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 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
 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: **JURY DEMAND:** Yes No (Check 'Yes' only if demanded in complaint)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ 100,000+

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

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

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER	LABOR
<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <div style="background-color: #e0e0e0; text-align: center;">REAL PROPERTY</div> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<div style="background-color: #e0e0e0; text-align: center;">PERSONAL INJURY</div> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <div style="background-color: #e0e0e0; text-align: center;">IMMIGRATION</div> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<div style="background-color: #e0e0e0; text-align: center;">PERSONAL PROPERTY</div> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <div style="background-color: #e0e0e0; text-align: center;">BANKRUPTCY</div> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <div style="background-color: #e0e0e0; text-align: center;">CIVIL RIGHTS</div> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	<div style="background-color: #e0e0e0; text-align: center;">PRISONER PETITIONS</div> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <div style="background-color: #e0e0e0; text-align: center;">FORFEITURE / PENALTY</div> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl Ret. Inc. Security Act <div style="background-color: #e0e0e0; text-align: center;">PROPERTY RIGHTS</div> <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <div style="background-color: #e0e0e0; text-align: center;">SOCIAL SECURITY</div> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <div style="background-color: #e0e0e0; text-align: center;">FEDERAL TAX SUITS</div> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

CV 12-11022

FOR OFFICE USE ONLY: Case Number _____

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

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

VIII(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): _____

VIII(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.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

Check here if the **government, its agencies or employees** is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
SANTA BARBARA	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

Check here if the **government, its agencies or employees** is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	MINNESOTA

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
LOS ANGELES	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):  Date 12/28/2012

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. (g))