1	Susan Brown (SBN #287986)									
2	susan@susanbrownlegal.com SUSAN BROWN LEGAL SERVICES									
	447 Sutter St. Ste. 405 PMB 2									
3	San Francisco, CA 94108 Telephone: (415) 712-3026									
4 5	Additional counsel appear on signature page									
6										
7	Attorneys for Plaintiff Eugene Mannacio and the Proposed Class									
8	UNITED STATES D									
9	NORTHERN DISTRIC	CT OF CALIFORNIA								
10	EUGENE MANNACIO, individually and on behalf of all others similarly situated,	Case No.								
11	on behan of an others similarly situated,									
12	Plaintiff,	CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES								
13	V.									
14	SOVEREIGN LENDING GROUP	Class Action								
15	INCORPORATED	JURY TRIAL DEMAND								
16										
17	Defendant.									
18										
19		igned counsel, for this class action complaint								
20	against Defendant Sovereign Lending Group Inco	orporated (hereinafter "Sovereign Lending" or								
20	"Defendant") and its present, former, and future d	lirect and indirect parents, subsidiaries,								
21	affiliates, agents, and related entities, alleges as fo	ollows:								
22	I. INTROI	DUCTION								
23 24	1. <u>Nature of Action</u> : This case arises	from Defendant's unsolicited telemarketing in								
	violation of the Telephone Consumer Protection A	Act ("TCPA"), 47 U.S.C. § 227.								
25 26	2. The telemarketing targeted number	rs listed on the National Do Not Call Registry								
26	("NDNCR") and because telemarketing calls are	sent en masse the Plaintiff files a putative class								
27										

action complaint.

28

1	II. PARTIES									
2	3. Plaintiff Eugene Mannacio ("Plaintiff") is a natural person.									
3	4. Plaintiff resides in Novato, California.									
4	5. Sovereign Lending Capital is a corporation.									
5	6.	Sovereign Lending Capital's principal place of business is at 3540 Howard Way,								
6	Costa Mesa,	CA 92626.								
7	7.	Sovereign Lending Capital does business in California, including in this District.								
8		III. JURISDICTION AND VENUE								
9	8.	Jurisdiction: This Court has federal-question subject matter jurisdiction pursuant								
10	to 28 U.S.C.	§ 1331 because the TCPA is a federal statute. 47 U.S.C. § 227; Mims v. Arrow Fin.								
11	Servs., LLC,	565 U.S. 368, 372 (2012).								
12	9.	Personal Jurisdiction: This Court has personal jurisdiction over Defendant								
13	because its p	rincipal place of business is in California and the telemarketing at issue targeted a								
14	California are	ea code.								
15	10.	Venue: Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(1)-(2)								
16	because a substantial part of the events giving rise to Plaintiff's claims—namely, the direction of									
17	the illegal tel	emarketing from Defendant's office—occurred in this District.								
18	11.	Intradistrict Assignment: Assignment to this Division is proper pursuant to Civil								
19	Local Rule 3	-2(c) because a substantial part of the events or omissions that give rise to Plaintiff's								
20	claims—nam	ely, the illegal telemarketing occurred in Novato.								
21		IV. FACTS								
22	A. The I	Enactment of the TCPA and the FCC's Regulations Thereunder								
23	12.	Enacted in 1991, the TCPA's sponsor described unwanted robocalls as "the								
24	scourge of m	odern civilization. They wake us up in the morning; they interrupt our dinner at								
25	night; they force the sick and elderly out of bed; they hound us until we want to rip the telephone									
26	out of the wa	ll." 137 Cong. Rec. 30,821 (1991) (statement of Sen. Hollings).								
27	13.	Do Not Call Registry: The TCPA outlaws unsolicited telemarketing (robocalls or								
28	otherwise) to	e telephone numbers on the NDNCR. 47 U.S.C. § 227(c); 47 C.F.R. § 64.1200(c)(2). - 2 -								
		CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES								

Mannacio v. Sovereign Lending Capital LLC

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Encouraging people to hold telemarketers accountable on behalf on their fellow Americans, the
 TCPA provides a private cause of action to persons who receive such calls. 47 U.S.C. §
 227(c)(5).
 B. Factual Allegations Regarding Defendant

	р.	Taciu	an Anegation's Regarding Defendant
5		14.	Sovereign Lending is a company that seeks mortgage and refinancing clients.
6		15.	To generate business, Sovereign Lending relies on telemarketing.
7		16.	Those telemarketing calls violate the TCPA when they are made to residential
8	consur	ners on	the National Do Not Call Registry.
9	C.	Defen	dant's Unsolicited Telemarketing to Plaintiff
10		17.	Plaintiff is, and at all times mentioned herein was, a "person" as defined by
11	47 U.S	S.C. § 1	53(39).
12		18.	Plaintiff owns and uses the telephone number 415-883-XXXX.
13		19.	Plaintiff's telephone number is used for residential purposes only and is not
14	associa	ated wit	th a business.
15		20.	Plaintiff's telephone number has been listed on the NDNCR since 2003.
16		21.	Plaintiff has never done business with Sovereign Lending.
17		22.	Plaintiff has never consented to receive calls from Sovereign Lending.
18		23.	Despite these facts, beginning around October 10, 2021 Mr. Mannacio began to
19	receive	e unsoli	icited telemarketing calls from Sovereign Lending Group.
20		24.	Mr. Mannacio estimates that he received at least five telephone calls from
21	Sovere	eign Lei	nding Group between October 10 and October 20, 2021.
22		25.	Mr. Mannacio ignored several calls or immediately hung up with the Sovereign
23	Lendir	ng Grou	p representative began the pitch.
24		26.	However, the calls continued.
25		27.	On or about, October 19, 2021, Mr. Mannacio received a call from (415) 757-
26	4598.		
27			
28			
			- 3 - CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES Mannacio v. Sovereign Lending Capital LLC

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1	28. Mr. Mannacio called the number back. The representative that answered the call								
2	explained that the telephone call he had received was from Sovereign Lending and they were								
3	calling to provide him with information regarding home refinancing.								
4	29. Other individuals have complained about receiving calls from (415) 757-4598r.								
5	See https://www.reportedcalls.com/4157574598 (Last Visited November 15, 2021).								
6	30. Other individuals have also complained about receiving calls from Sovereign								
7	Lending:								
8									
9	I continue to be harassed by this company after I have repeatedly told them to stop calling me. On 9/11/2021 alone I received 5 phone calls. Two of which was after I told								
10 11	them yet again to not call me. There is a non-licensed person calling to solicit business for the company. Do not give them your contact information as they do not care about you saying do not call them. I made a mistake of refinancing my home with them.								
12	They are incompetent and extremely rude.								
13	See https://goo.gl/maps/Vb9qL7yEeez4EHcD7 (Last Visited November 15, 2021).								
14									
15	I don't know how many times I have to communicate with them that I am not interested in refinancing my house. We haven't even lived here for a year, and every								
16 17	day I get bombarded with calls from them trying to get me to refinance after each time I told them I wasn't interested and to stop calling to which they responded we'll put								
18	you on a don't call list. But here we are, the next day, I'm getting a call from them once again. So much for those "recorded lines for training purposes." They'll just harass you each and every day.								
19	See <u>https://goo.gl/maps/Vb9qL7yEeez4EHcD7</u> (Last Visited November 15, 2021).								
20	(Last Visited Rovelloof 15, 2021).								
21	31. Plaintiff and the other call recipients were harmed by these calls. They were								
22	temporarily deprived of legitimate use of their phones because the phone line was tied up during								
23	the telemarketing calls and their privacy was improperly invaded. Moreover, these calls injured								
24	Plaintiff and the other call recipients because they were frustrating, obnoxious, annoying, were a								
25	nuisance and disturbed the solitude of plaintiff and the class.								
26	V. CLASS ACTION ALLEGATIONS								
27	32. <u>Class Definition</u> : Pursuant to Federal Rule of Civil Procedure 23(b)(2) and (b)(3),								
28	Plaintiff brings this case on behalf of a class defined as follows:								
	- 4 - Class action Complaint for Injunction and Damages Mannacio v. Sovereign Lending Capital LLC								

All persons in the United States to whom: (a) Defendant and/or a third party acting on Defendant's behalf made more than one call advertising its goods or services; (b) within a 12-month period; (c) to a residential telephone number; (d) that was listed on the National Do Not Call Registry for at least 31 days; (e) between the date four years before the filing of the original complaint in this case and the first day of trial.

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6	This is referred to as the "Class."						
7	33. Plaintiff is a member and proposed representative of the Class.						
8	34.	<u>Exclus</u>	sions: Excluded from the Class are Defendant, any entity in which any of				
9	Defendant has a controlling interest or that has a controlling interest in any of Defendant,						
10	Defendant' legal representatives, assignees, and successors, the judges to whom this case is						
11	assigned and	the emp	loyees and immediate family members of all of the foregoing.				
12	35.	<u>Nume</u>	rosity: The Class is so numerous that joinder of all its members is				
13	impracticable	as teler	narketing campaigns are typically conducted en masse.				
14	36.	Comn	nonality: There are many questions of law and fact common to Plaintiff and				
15	class member	s makes	s this dispute amenable to classwide resolution. These common questions of				
16	law and fact i	nclude,	but are not limited to, the following:				
17		a.	whether the calls were dialed were solicitations;				
18		b.	whether Defendant's desire to sell its services constitutes an "emergency"				
19	within the meaning of the TCPA;						
20		c.	whether Defendant is in the United States;				
21		d.	whether Defendant had a pattern and practice of failing to obtain prior				
22	express written consent from people to whom they directed telemarketing;						
23		e.	whether Defendant had a pattern and practice of failing to remove				
24	numbers on th	ne NDN	CR from their telemarketing lists;				
25		f.	whether Defendant's violations of the TCPA were knowing or willful; and				
26		g.	whether Defendant should be enjoined from continuing to telemarket to				

27 people in violation of the TCPA.

28

CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES Mannacio v. Sovereign Lending Capital LLC

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37. <u>Typicality</u>: Plaintiff's claims are typical of the claims of the Class. Plaintiff's claims and those of the Class arise out of the same automated telemarketing by Defendant and seek the same legal and equitable remedies.

38. <u>Adequacy</u>: Plaintiff will fairly and adequately protect the interests of the Class.
Plaintiff has retained competent and capable counsel experienced in TCPA class action litigation.
Plaintiff and his counsel are committed to prosecuting this action vigorously on behalf of the
Class and have the financial resources to do so. The interests of Plaintiff and his counsel are
aligned with those of the proposed class.

39. <u>Superiority</u>: The foregoing common issues predominate over any individual issues, making a class action the superior means of resolution. Adjudication of these common issues in a single action has important advantages, including judicial economy, efficiency for class members, and classwide *res judicata* for Defendant. Classwide relief is essential to compel Defendant to comply with the TCPA.

40. <u>Appropriateness</u>: Defendant has acted on grounds generally applicable to the Class, thereby making final injunctive relief and corresponding declaratory relief appropriate on a classwide basis.

VI. FIRST CLAIM FOR RELIEF Telephone Consumer Protection Act (Violation of 47 U.S.C. § 227) (On Behalf of Plaintiff and the Class)

41. Plaintiff repeats and realleges the prior paragraphs of this Complaint and incorporates them by reference.

42. The TCPA's implementing regulation, 47 C.F.R. § 64.1200(c), provides that "[n]o person or entity shall initiate any telephone solicitation" to "[a] residential telephone subscriber who has registered his or her telephone number on the national do-not-call registry of persons who do not wish to receive telephone solicitations that is maintained by the federal government."

- 6 -CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES Mannacio v. Sovereign Lending Capital LLC

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43. Any "person who has received more than one telephone call within any 12-month period by or on behalf of the same entity in violation of the regulations prescribed under this subsection may" may bring a private action based on a violation of said regulations, which were promulgated to protect telephone subscribers' privacy rights to avoid receiving telephone solicitations to which they object. 47 U.S.C. § 227(c).

44. Defendant violated 47 U.S.C. § 227(c)(5) because Plaintiff and the Class received more than one phone call in a 12-month period by or on behalf of Defendants in violation of 47 C.F.R. § 64.1200, as described above. As a result of Defendant's conduct as alleged herein, Plaintiff and the Class are entitled to a minimum of \$500 in damages, and up to \$1,500 in damages, for each violation.

45. Plaintiff is also entitled to an injunction under the TCPA and seeks to enjoin the Defendant from making telemarketing calls to numbers on the National Do Not Call Registry.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on his own behalf and on behalf of all class members, prays for judgment against Defendant as follows:

A. Certification of the proposed Class;

B. Appointment of Plaintiff as representative of the Class;

C. Appointment of the undersigned counsel as counsel for the Class;

D. A declaration that actions complained of herein violate the TCPA;

E. An order enjoining Defendant from making telemarketing calls to numbers on the National Do Not Call Registry;

F. An award to Plaintiff and the Class of damages, as allowed by law;

G. Leave to amend this complaint to conform to the evidence presented at trial; and

H. Orders granting such other and further relief as the Court deems necessary, just, and proper.

VIII. DEMAND FOR JURY

Plaintiff demands a trial by jury for all issues so triable.

CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES Mannacio v. Sovereign Lending Capital LLC

1	IX. SIGNATURE ATTESTATION
2	The CM/ECF user filing this paper attests that concurrence in its filing has been obtained
3	from its other signatories.
4	
5	RESPECTFULLY SUBMITTED AND DATED on November 23, 2021.
6	By: <u>/s/ Susan Brown</u>
7	Susan Brown
8	susan@susanbrownlegal.com
9	SUSAN BROWN LEGAL SERVICES 447 Sutter St. Ste. 405 PMB 2
10	San Francisco, CA 94108
11	Telephone: (415) 712-3026
12	Anthony I. Paronich, Subject to Admission Pro
13	Hac Vice anthony@bparonichlaw.com
	PARONICH LAW, P.C.
14	350 Lincoln Street, Suite 2400
15	Hingham, Massachusetts 02043
16	Telephone: (617) 485-0018 Facsimile: (508) 318-8100
17	
18	Attorneys for Plaintiff and the Proposed Class
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	- 8 -
	CLASS ACTION COMPLAINT FOR INJUNCTION AND DAMAGES
	Mannacio v. Sovereign Lending Capital LLC

JS-CAND 44 (Rev. 10/2020) Case 3:22-cv-05498-RSM_Document 1-1_Filed 11/29/21 Page 1 of 2 CIVIL COVER SHEET

The JS-CAND 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a)) PLAINTIFFS				DEFEN	DANTS					
(b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES)					County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.						
(c)	Attorneys (Firm Name, Address	, and Telephone Number)			Attorneys	(If Known)					
II.	BASIS OF JURISDICT	TION (Place an "X" in One Box Only)	Ш		TIZENSHI Diversity Case		INCIF	PAL PA	RTIES (Place an "X" in One Bo and One Box for Defend		aintiff
							PTF	DEF		PTF	DEF
1 U.S. Governme	U.S. Government Plaintiff	Federal Question (U.S. Government Not a Party)		Citize	n of This State		1	1	Incorporated <i>or</i> Principal Place of Business In This State	4	4
2	U.S. Government Defendant	Diversity (Indicate Citizenship of Parties in Item III)		Citize	n of Another St	ate	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
		(Indicate Chizenship 0) I arties in Item III)			n or Subject of gn Country	a	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TOI	<i>,</i> ,	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES			
CONTRACT 110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment Of Veteran's Benefits 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of 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	TOI PERSONAL INJURY 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Venicle Product Liability 360 Other Personal Injury 362 Personal Injury -Medical Malpractice CIVIL RIGHTS 440 Other Civil Rights 441 Voting 442 Employment 443 Housing/ Accommodations 445 Amer. w/Disabilities- Employment 446 Amer. w/Disabilities-Other 448 Education	\$7	FORFEITURE/PENALTY 625 Drug Related Seizure of Property 21 USC § 881 690 Other LABOR 710 Fair Labor Standards Act 710 Fair Labor Standards Act 720 Labor/Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Employee Retirement Income Security Act IMMIGRATION 462 Naturalization Application 465 Other Immigration Actions	BANKRUPTCY 422 Appeal 28 USC § 158 423 Withdrawal 28 USC § 157 PROPERTY RIGHTS 820 Copyrights 830 Patent 835 Patent—Abbreviated New Drug Application 840 Trademark 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY 861 HIA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g)) FEDERAL TAX SUITS 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS—Third Party 26 USC § 7609	OTHER STATUTES 375 False Claims Act 376 Qui Tam (31 USC § 3729(a)) 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced & Corrupt Organizations 480 Consumer Credit 485 Telephone Consumer Protection Act 490 Cable/Sat TV 850 Securities/Commodities/ Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes			
V. ORIGIN (Place an "X" in One Box Only) 1 Original Proceeding 2 Removed from 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from Another District (specify) 6 Multidistrict Litigation-Transfer 8 Multidistrict Litigation-Direct File VI. CAUSE OF ACTION Brief description of cause: Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): Brief description of cause: CHECK IF THIS IS A CLASS ACTION DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No VII. REQUESTED IN CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, Fed. R. Civ. P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No VIII. RELATED CASE(S), IF ANY (See instructions): JUDGE DOCKET NUMBER								
IX. DIVISIONAL ASSIGNMENT (Civil Local Rule 3-2) (Place an "X" in One Box Only) SAN FRANCISCO/OAKLAND SAN JOSE EUREKA-MCKINLEYVILLE								

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS-CAND 44

Authority For Civil Cover Sheet. The JS-CAND 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved in its original form by the Judicial Conference of the United States in September 1974, is required for the Clerk of Court to initiate the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.** a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)."
- **II.** Jurisdiction. The basis of jurisdiction is set forth under Federal Rule of Civil Procedure 8(a), which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 - (1) United States plaintiff. Jurisdiction based on 28 USC §§ 1345 and 1348. Suits by agencies and officers of the United States are included here.
 - (2) <u>United States defendant</u>. When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 - (3) Federal question. This refers to suits under 28 USC § 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 - (4) <u>Diversity of citizenship</u>. This refers to suits under 28 USC § 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)
- **III. Residence (citizenship) of Principal Parties.** This section of the JS-CAND 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the six boxes.
 - (1) Original Proceedings. Cases originating in the United States district courts.
 - (2) <u>Removed from State Court</u>. Proceedings initiated in state courts may be removed to the district courts under Title 28 USC § 1441. When the petition for removal is granted, check this box.
 - (3) <u>Remanded from Appellate Court</u>. Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 - (4) <u>Reinstated or Reopened</u>. Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 - (5) <u>Transferred from Another District</u>. For cases transferred under Title 28 USC § 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 - (6) <u>Multidistrict Litigation Transfer</u>. Check this box when a multidistrict case is transferred into the district under authority of Title 28 USC § 1407. When this box is checked, do not check (5) above.
 - (8) <u>Multidistrict Litigation Direct File</u>. Check this box when a multidistrict litigation case is filed in the same district as the Master MDL docket.

Please note that there is no Origin Code 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC § 553. <u>Brief Description</u>: Unauthorized reception of cable service.
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Federal Rule of Civil Procedure 23.

Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

- VIII. Related Cases. This section of the JS-CAND 44 is used to identify related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- IX. Divisional Assignment. If the Nature of Suit is under Property Rights or Prisoner Petitions or the matter is a Securities Class Action, leave this section blank. For all other cases, identify the divisional venue according to Civil Local Rule 3-2: "the county in which a substantial part of the events or omissions which give rise to the claim occurred or in which a substantial part of the property that is the subject of the action is situated."

Date and Attorney Signature. Date and sign the civil cover sheet.