

**COPY FILED**

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2014 JAN 31 PM 1:03  
CLERK, U.S. DISTRICT COURT  
CENTRAL DIST. OF CALIF.  
LOS ANGELES

BY \_\_\_\_\_

Attorney for Plaintiffs  
Bernard Hiller and Gabriel Bologna

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CV14-778** CBM (JEMX)  
Case No.:

BERNARD HILLER, an individual; and )  
GABRIEL BOLOGNA, an individual )

Plaintiffs,

vs.

INFORMANT MEDIA, INC., a  
Delaware Corporation; JUDY CAIRO,  
an individual; LUIS MANDOKI, an  
individual; ATHENA ASHBURN, an  
individual; and DOES 1 through 10,  
inclusive

Defendants.

**COMPLAINT FOR:**

1. **COPYRIGHT INFRINGEMENT**
2. **CONTRIBUTORY COPYRIGHT INFRINGEMENT**

**DEMAND FOR JURY TRIAL**

Plaintiffs Bernard Hiller and Gabriel Bologna, allege as follows:

**JURISDICTION AND VENUE**

1. This is a civil action seeking damages and injunctive relief against Defendants for copyright infringement in violation of the United States Copyright Act, 17 U.S.C. §§ 101 *et seq.*





1 vast artistic revolution that took place there. In addition to writing about historical  
2 events and characters, the Screenplay contained substantial amounts of non-Public  
3 Domain original content created and written by the Plaintiffs.

4 12. The Plaintiffs spent substantial amounts of time, money, and effort  
5 creating, collecting, and distributing the Screenplay.

6 13. The Screenplay has been copyrighted by the Plaintiffs through the  
7 Library of Congress and was also registered with the Writers Guild of America.  
8 Attached hereto as Exhibit "A" is a true and correct copy of the printout concerning  
9 "Brundibar" from the United States Copyright Office, Registration No. PAu 3-690-  
10 224.

11 14. On or about February 23, 2012, Informant entered into a literary option  
12 purchase agreement (the "Agreement") with the Plaintiffs for the rights to the  
13 Screenplay. According to the Agreement, the Initial Option Payment covered a period  
14 of eighteen (18) months, commencing February 23, 2012. Under the Agreement,  
15 Plaintiffs had the right to terminate within twelve (12) months if Informant failed to  
16 provide written confirmation of commercially reasonable efforts to package, finance,  
17 or cast the picture.

18 15. Plaintiffs are informed and believe that during the option period of the  
19 Agreement, Mandoki was either hired to direct the Screenplay or was in active  
20 negotiations to direct the Screenplay.

21 16. As part of Mandoki's involvement with Informant and the Screenplay,  
22 Mandoki was given access to the Screenplay and read it several times.

23 17. Either during or subsequent to the option period of the Agreement,  
24 Mandoki used Plaintiffs original ideas to develop a competing screenplay (the  
25 "Mandoki Screenplay") that was written on the same topic as *Brundibar*.

1           18. Twelve months after the Agreement, Informant failed to provide any  
2 written confirmation, as specified under the Agreement, and Plaintiffs terminated the  
3 Agreement as per its provisions.

4           19. Plaintiffs are informed and believe that the Mandoki Screenplay contains  
5 substantial original non-Public Domain ideas and creations that are the intellectual  
6 property of Plaintiffs and that come directly from their copyrighted Screenplay.

7           20. Plaintiffs are informed and believe that Informant has been, without  
8 authorization, marketing and soliciting, and continuing to market and solicit, the  
9 Mandoki Screenplay to various parties in the entertainment industry.

10          21. Plaintiffs are informed and believe that Cairo has been, without  
11 authorization, marketing and soliciting, and continuing to market and solicit, the  
12 Mandoki Screenplay to various parties in the entertainment industry.

13          22. Plaintiffs are informed and believe that Mandoki has been, without  
14 authorization, marketing and soliciting, and continuing to market and solicit, the  
15 Mandoki Screenplay to various parties in the entertainment industry.

16          23. Plaintiffs are informed and believe that Ashburn intended to and directly  
17 caused, contributed to, enabled, facilitated, aided, abetted, induced and/or participated  
18 in, without authorization, marketing and soliciting, and continuing to market and  
19 solicit, the Mandoki Screenplay to various parties in the entertainment industry.

20          24. On or about October 14, 2013, Plaintiffs sent Informant notice that their  
21 copyright was being infringed. Attached hereto as "Exhibit B." Plaintiffs are  
22 informed and believe that all Defendants were made aware of this notice; however,  
23 Defendants have continued to infringe despite this notice.

24 ///

25 ///

26 ///

**FIRST CAUSE OF ACTION**

(Copyright Infringement – 17 U.S.C. §501 *et. seq.*)

**(Against Defendants Informant, Cairo and Mandoki)**

25. Plaintiffs repeat and incorporate by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.

26. At all times relevant hereto, Plaintiffs have been the producer and owner of the Screenplay and its original ideas and content.

27. For each work in this matter, Plaintiffs hold a copyright registration certificate from the United States Copyright Office. Attached hereto as Exhibit “A.”

28. Plaintiffs are informed and believe that, without authorization, Defendants Informant, Cairo and Mandoki have infringed Plaintiffs’ copyright by marketing and soliciting, and continuing to market and solicit, the Mandoki Screenplay to various parties in the entertainment industry.

29. Plaintiffs are informed and believe that Defendants’ conduct was willful with full knowledge of and complete disregard for Plaintiffs’ rights.

30. As a direct and proximate result of Defendant’s breach, Plaintiffs have suffered damages to be proven at trial.

31. As a direct and proximate result of the Defendants’ infringement, Plaintiffs have incurred attorneys’ fees and costs, in an amount according to proof, which are recoverable under the provisions of 17 U.S.C. §505.

**SECOND CAUSE OF ACTION**

(Contributory Copyright Infringement – 17 U.S.C. §501 *et. seq.*)

**(Against Defendant Ashburn)**

32. Plaintiffs repeat and incorporate by this reference each and every allegation set forth in paragraphs 1 through 28, inclusive.





1 and restrained from copying, posting or making any other infringing use or infringing  
2 distribution of the Screenplay or other materials owned or registered by Plaintiffs,  
3 pursuant to 17 U.S.C. § 502;

4 42. That the Court enter an order of impoundment pursuant to 17 U.S.C.  
5 §§503 and 509(a) impounding all infringing copies of Plaintiffs' Screenplay, which  
6 are in Defendants' possession or under its control;

7 43. That the Court order Defendants to pay Plaintiffs' general, special,  
8 actual, and statutory damages in an amount exceeding \$1,000,000 to be determined at  
9 trial;

10 44. That the Court order Defendants to pay punitive damages pursuant to  
11 Cal. Civ. Code §3344;

12 45. That the Court order Defendants to pay Plaintiff both the costs of this  
13 action and the reasonable attorneys' fees incurred by it in prosecuting this action  
14 pursuant to 17 U.S.C. § 504 and Cal. Civ. Code § 3344(a);

15 46. That the Court grant to Plaintiffs such other and addition relief as is just  
16 and proper.

17  
18  
19 Dated: January 31, 2014

HARRISON BARNES, PLC

20  
21 

22 A. Harrison Barnes  
23 Carmen R. Shain  
24 Attorneys for Plaintiffs  
25  
26  
27  
28



## Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Maria A. Pallante*

Register of Copyrights, United States of America

Registration Number  
**PAu 3-690-224**

Effective date of  
registration:  
August 19, 2013

### Title

Title of Work: Brundibar

### Completion/Publication

Year of Completion: 2010

### Author

■ Author: Gabriel Bologna

Author Created: lyrics, text, editing

Citizen of: United States

Domiciled in: United States

Year Born: 1969

■ Author: Bernard Hiller

Author Created: text

Citizen of: United States

Domiciled in: United States

### Copyright claimant

Copyright Claimant: Gabriel Bologna

21800 Oxnard St. #460, Woodland Hills, CA, 91367, United States

Copyright Claimant: Bernard Hiller

21800 Oxnard St. #460, Woodland Hills, CA, 91367, United States

### Rights and Permissions

Name: Gabriel Bologna

Email: garibaldiproduct@aol.com

Telephone: 310-927-6237

Address: 21800 Oxnard Street, #460

Woodland Hills, CA 91367 United States

### Certification



Registration #: PAU003690224

Service Request #: 1-981408101



Bologna/Hiller  
Gabriel Bologna  
21800 Oxnard St. #460  
Woodland Hills, CA 91367 United States

10  
Complaint  
Exhibit A

## HARRISON BARNES PLC

23410 Civic Center Way, Suite E7  
Malibu, CA 90265  
Phone: (310) 598-1719

A. Harrison Barnes, Esq.  
Michael R. Parker, Esq. (of Counsel)

Fax: (310) 598-1735  
mparker@harrisonbarnes.com  
www.harrisonbarnes.com

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October 14, 2013

### VIA US MAIL

Attn: Michael Simpson  
Informant Films, LLC  
10866 Wilshire Boulevard, 4<sup>th</sup> Floor, Suite 422  
Los Angeles, California 90024

RE: Bernardo Hiller and Gabriel Bologna

Dear Mr. Simpson:

My name is Michael Parker and I represent Bernardo Hiller and Gabriel Bologna regarding their screenplay Brundibar (the "Screenplay").

On February 23, 2012, Informant entered into a literary option purchase agreement (the "Agreement") with my clients regarding the Screenplay. According to the Agreement, the Initial Option Payment covered a period of eighteen (18) months, commencing February 23, 2012. Under the Agreement, my clients also had the right to terminate within twelve (12) months if you failed to provide written confirmation of commercially reasonable efforts to package, finance or cast the picture.

After twelve months, you failed to provide any written confirmation, as specified under the Agreement, and my clients terminated the Agreement. At this point, all of your rights surrounding the Screenplay had terminated.

However, in bad faith and unbeknownst to my clients, you have been working with the director assigned to Brundibar in crafting a screenplay with substantial similarities to Brundibar. This is even more disturbing given the fact that no parties associated with Informant had ever even heard of the characters present in the Screenplay prior to working with my clients.

We are aware that you are now shopping around this "new" screenplay based wholly on my clients' work. Furthermore, we also know that you have been attempting to secure further rights from at least one author who published stories closely associated with the characters in the Screenplay.

We ask that you send a confirming letter by October 25, 2013, stating explicitly that you are abandoning any claims over the Screenplay and that you will cease and desist marketing any work or screenplay that is a derivative of the Screenplay.

11  
Complaint  
Exhibit B

We hope to resolve this issue informally and without judicial intervention. However, if you continue to infringe on my clients' rights we will have no choice but to file a lawsuit against you in California state court. We will also seek attorneys' fees, costs, and punitive damages where available.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael R. Parker", with a long horizontal flourish extending to the right.

Michael R. Parker  
Harrison Barnes PLC



UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES JUDGES

This case has been assigned to District Judge Consuelo B. Marshall and the assigned Magistrate Judge is John E. McDermott.

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

CV14-778-CBM(JEMx)

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

January 31, 2014

Date

By C. Sawyer  
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.**

**ORIGINAL**

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Central District of California

BERNARD HILLER, an individual; and GABRIEL  
BOLOGNA, an individual

*Plaintiff(s)*

v.

INFORMANT MEDIA, INC., a Delaware Corporation;  
JUDY CAIRO, an individual; LUIS MANDOKI, an  
individual; ATHENA ASHBURN, an individual; and  
DOES 1 through 10, inclusive

*Defendant(s)*

**CV14-778** CBM (JEMX)

Civil Action No.

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)*

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

A. Harrison Barnes (SBN 196199); Carmen R. Shain (SBN 269879)  
Harrison Barnes, PLC  
23410 Civic Center Way, Suite E-10  
Malibu, California 90265  
Telephone: (310) 598-1719, Facsimile: (310) 598-1735  
harrison@harrisonbarnes.com; cshain@harrisonbarnes.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 1-31-14

CLERK



*(Signature of Clerk or Deputy Clerk)*

1149



**COPY**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEETI. (a) PLAINTIFFS (Check box if you are representing yourself ☐)

Bernard Hiller, an individual; Gabriel Bologna, an individual

DEFENDANTS (Check box if you are representing yourself ☐)

(b) County of Residence of First Listed Plaintiff Los Angeles

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Los Angeles

(IN U.S. PLAINTIFF CASES ONLY)

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

A. Harrison Barnes (SBN 196199)  
Carmen R. Shain (SBN 269879)  
Harrison Barnes, PLC, 23410 Civic Center Way, Suite E-10, Malibu, CA 90265

Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the 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)

- |   |   |   |   |
|---|---|---|---|
| Citizen of This State                   | PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State     | PTF <input type="checkbox"/> 4 DEF <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         |

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: \$ To be proven

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.)

Copyright Infringement and Contributory Copyright Infringement

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

OTHER STATUTES	CONTRACT	REAL PROPERTY	IMMIGRATION	PRISONER PETITIONS	PROPERTY RIGHTS
<input type="checkbox"/> 375 False Claims Act	<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> Habeas Corpus	<input checked="" type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 463 Alien Detainee	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 530 General	<input type="checkbox"/> 861 HIA (1395m)
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 863 DRWC/DIWW (405(g))
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 690 Other	
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 710 Fair Labor Standards Act	
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 444 American with Disabilities-Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations	
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 740 Railway Labor Act	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 751 Family and Medical Leave Act	
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision		<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 790 Other Labor Litigation	
<input type="checkbox"/> 950 Constitutionality of State Statutes				<input type="checkbox"/> 791 Employee Ret. Inc. Security Act	

FOR OFFICE USE ONLY:

Case Number:

CV-71 (11/13)

CIVIL COVER SHEET

Page 1 of 3

CV14-778



**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.

<b>Question A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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:
	<input type="checkbox"/> Los Angeles		Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo		Western
	<input type="checkbox"/> Orange		Southern
	<input type="checkbox"/> Riverside or San Bernardino		Eastern

<b>Question B: Is the United States, or one of its agencies or employees, a party to this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	A DEFENDANT?	
	Then check the box below for the county in which the majority of DEFENDANTS reside.	Then check the box below for the county in which the majority of PLAINTIFFS reside.	
	<input type="checkbox"/> Los Angeles	<input type="checkbox"/> Los Angeles	Western
	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	<input type="checkbox"/> Ventura, Santa Barbara, or San Luis Obispo	Western
	<input type="checkbox"/> Orange	<input type="checkbox"/> Orange	Southern
	<input type="checkbox"/> Riverside or San Bernardino	<input type="checkbox"/> Riverside or San Bernardino	Eastern
<input type="checkbox"/> Other	<input type="checkbox"/> Other	Western	

Question C: Location of plaintiffs, defendants, and claims? (Make only one selection per row)	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:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of defendants reside:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indicate the location in which a majority of claims arose:	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>C.1. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column C <input type="checkbox"/> 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. →	<b>C.2. Is either of the following true? If so, check the one that applies:</b>  <input type="checkbox"/> 2 or more answers in Column D <input type="checkbox"/> 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.	

<b>Question D: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, or C above: →	Western

**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):**

*Carman Rule Shier*

DATE:

*1/31/2014*

**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))