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FILED
11 JUL 19 PM 3:42
CLERK OF DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

7 Attorneys for Plaintiff Samantha Ellison,
8 individually and on behalf of a class of
9 similarly situated individuals

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 SAMANTHA ELLISON, individually
and on behalf of a class of similarly
13 situated individuals,

14 Plaintiff,

15 v.

16 STEVEN MADDEN, LTD., a
Delaware corporation,

17 Defendant.

Case No. **CV 11-05935 VBF (AGR)**

**CLASS ACTION COMPLAINT
FOR:**

- 1) VIOLATION OF THE TELECOMMUNICATIONS PRIVACY ACT, 47 U.S.C. § 227; AND
- 2) DAMAGES AND INJUNCTIVE RELIEF

DEMAND FOR JURY TRIAL

22 **CLASS ACTION COMPLAINT**

23 Plaintiff Samantha Ellison brings this class action complaint against Defendant
24 Steven Madden, LTD. (hereinafter "Defendant" or "Madden") to stop Defendant's
25 practice of making unsolicited text message calls to cellular telephones, and to obtain
26 redress for all persons injured by this conduct. This Court has jurisdiction over this
27 class action pursuant to 28 U.S.C. § 1332(d). Plaintiff, for her class action complaint,
28

1 alleges as follows upon personal knowledge as to herself and her own acts and
2 experiences, and, as to all other matters, upon information and belief, including
3 investigation conducted by her attorneys.
4

5 NATURE OF THE CASE

6 1. Wireless spam is a growing problem in the United States. According to
7 a recent study conducted by the Pew Research Center, “Spam isn’t just for email
8 anymore; it comes in the form of unwanted text messages of all kinds—from coupons
9 to phishing schemes—sent directly to user’s cell phones.” In fact, “57% of adults
10 with cell phones have received unwanted or spam text messages on their phone.”
11 Amanda Lenhart, *Cell Phones and American Adults: They Make Just as Many Calls,*
12 *but Text Less than Teens*, Pew Research Center (2010) at
13 <http://pewinternet.org/Reports/2010/Cell-Phones-and-American-Adults.aspx>.

14 2. In a recent effort to promote a holiday sale of its footwear and related
15 products, Defendant, one of the nation’s largest footwear and accessory designers,
16 engaged in an especially pernicious form of marketing: the transmission of
17 unauthorized advertisements, in the form of “text message” calls to the cellular
18 telephones of consumers throughout the nation.

19 3. By effectuating these unauthorized text message calls (hereinafter,
20 “wireless spam”), Defendant has caused consumers actual harm, not only because
21 consumers were subjected to the aggravation that necessarily accompanies wireless
22 spam, but also because consumers frequently have to pay their cell phone service
23 providers for the receipt of such wireless spam.

24 4. In order to redress these injuries, Plaintiff, on behalf of herself and a
25 nationwide class of similarly situated individuals, brings suit under the
26 Telecommunications Privacy Act Act, 47 U.S.C. § 227, *et seq.* (“47 U.S.C. § 227”),
27 which prohibits unsolicited voice and text calls to cell phones.
28

1 5. On behalf of the class, Plaintiff seeks an injunction requiring Defendant
2 to cease all wireless spam activities and an award of statutory damages to the class
3 members, together with costs and reasonable attorneys' fees.

4
5 **PARTIES**

6 6. Plaintiff is a citizen of Illinois.

7 7. Defendant Madden is a Delaware corporation who at all relevant times
8 maintained its headquarters and principal place of business in New York. The self-
9 described "most successful shoe designer in America," Madden is a global footwear
10 company that sells shoes and related products to consumers throughout the United
11 States, including this district.

12
13 **JURISDICTION & VENUE**

14 8. The Court has original jurisdiction over this action pursuant to 28 U.S.C.
15 § 1332(d), because (a) at least one member of the putative class is a citizen of a state
16 different from Defendant, (b) the amount in controversy exceeds \$5,000,000,
17 exclusive of interest and costs, and (c) none of the exceptions under that subsection
18 apply to this action.

19 9. This Court has personal jurisdiction over Defendant because Madden
20 conducts operations and sales in California, Madden is registered to do business in
21 California, and the acts alleged herein originated in this District.

22 10. Venue is proper in this District under 28 U.S.C. § 1391(a) because
23 Defendant Madden resides in this District and because a substantial part of the events
24 giving rise to the claim occurred in this District, as the Defendant's agent that
25 transmitted the text messages at issue also resides in this District.

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1 **COMMON ALLEGATIONS OF FACT**

2 11. In recent years, marketers who often have felt stymied by federal laws
3 limiting solicitation by telephone, facsimile machine, and e-mail have increasingly
4 looked to alternative technologies through which to cheaply send bulk solicitations.

5 12. One of the newest types of such bulk marketing is to advertise through
6 Short Message Services. The term “Short Message Service” or “SMS” is a
7 messaging system that allows cellular telephone subscribers to use their cellular
8 telephones to send and receive short text messages, usually limited to 160 characters.

9 13. A “SMS message” is a text message call directed to a wireless device
10 through the use of the telephone number assigned to the device. When a SMS
11 message call is successfully made, the recipient’s cell phone rings, alerting him or her
12 that a message call is being received. As cellular telephones are inherently mobile and
13 are frequently carried on their owner’s person, calls to cellular telephones, including
14 SMS messages, may be received by the called party virtually anywhere worldwide.

15 14. Unlike more conventional advertisements, SMS calls, and particularly
16 wireless spam, can actually cost their recipients money, because cell phone users
17 must frequently pay their respective wireless service providers either for each text
18 message call they receive or incur a usage allocation deduction to their text plan,
19 regardless of whether or not the message is authorized.

20 15. Over the course of an extended period beginning in at least 2011,
21 Defendant directed the mass transmission of wireless spam SMS message calls to cell
22 phones nationwide of what it hoped were potential customers of its footwear
23 products.

24 16. For instance, on or about June 30, 2011, Plaintiff’s cell phone rang,
25 indicating that a text call was being received.

26 17. The “from” field of such transmission was identified cryptically as
27 “623336,” which is an abbreviated telephone number known as a SMS short code
28 operated by Defendant’s agents. The body of this text message read:

1
2 STEVE MADDEN SENT YOU A MESSAGE! CLICK TO
3 VIEW: HTTP://M.MOGREET.COM/D2/BXVFFEY9
4 REPLY HELP FOR HELP, STOP TO CANCEL.
5 MSG&DATA RATES MAY APPLY

6 18. The website contained in the above text message is owned and operated
7 by Defendant and/or its agents and further promotes Defendant's products.

8 19. Within weeks of receiving the above text call, Plaintiff received
9 additional spam text message advertising from Defendant, in knowing violation of
10 Plaintiff's privacy. Such additional spam text message advertising originated from the
11 same 623336 short code and similarly promoted Defendant's products.

12 20. At no time did Plaintiff consent to the receipt of such text message calls
13 from Defendant.

14 CLASS ACTION ALLEGATIONS

15 21. Plaintiff brings this action pursuant to Federal Rule of Civil Procedure
16 23(b)(2) and Rule 23(b)(3) on behalf of herself and a class (the "Class") defined as
17 follows:

18 All persons in the United States and its Territories who received one or
19 more unauthorized text message advertisements on behalf of Steve
20 Madden.

21 22. The Class consists of thousands of individuals and other entities, making
22 joinder impractical.

23 23. Plaintiff will fairly and adequately represent and protect the interests of
24 the other members of the Class. Plaintiff has retained counsel with substantial
25 experience in prosecuting complex litigation and class actions. Plaintiff and her
26 counsel are committed to vigorously prosecuting this action on behalf of the members
27 of the Class, and have the financial resources to do so. Neither Plaintiff nor her
28 counsel has any interest adverse to those of the other members of the Class.

29 24. Absent a class action, most members of the Class would find the cost of

1 litigating their claims to be prohibitive, and will have no effective remedy. The class
2 treatment of common questions of law and fact is also superior to multiple individual
3 actions or piecemeal litigation in that it conserves the resources of the courts and the
4 litigants, and promotes consistency and efficiency of adjudication.

5 25. Defendant has acted and failed to act on grounds generally applicable to
6 the Plaintiff and the other members of the Class in transmitting the wireless spam at
7 issue, requiring the Court's imposition of uniform relief to ensure compatible
8 standards of conduct toward members of the Class.

9 26. The factual and legal basis of Defendant's liability to Plaintiff and to the
10 other members of the Class are the same, resulting in injury to the Plaintiff and to all
11 of the other members of the Class as a result of the transmission of the wireless spam
12 alleged herein. Plaintiff and the other Class members have all suffered harm and
13 damages as a result of Defendant's unlawful and wrongful conduct and transmission
14 of the wireless spam.

15 27. There are many questions of law and fact common to the claims of
16 Plaintiff and the other members of the Class, and those questions predominate over
17 any questions that may affect individual members of the Class. Common questions
18 for the Class include but are not limited to the following:

19 (a) Does the wireless spam Defendant distributed violate 47 U.S.C. §
20 227?

21 (b) Are the Class's members entitled to treble damages based on the
22 willfulness of Defendant's conduct?

23 **FIRST CAUSE OF ACTION**
(Violation of 47 U.S.C. § 227: On behalf of the Class)

24 28. Plaintiff incorporates by reference the foregoing allegations as if fully
25 set forth herein.

26 29. Defendant made unsolicited commercial text calls, including the
27 message transcribed above, to the wireless telephone numbers of the Class. Each
28 such text message call was made using equipment that had the capacity to store or

1 produce telephone numbers using a random or sequential number generator, and to
2 dial such numbers. By using such equipment, Defendant was able to effectively send
3 text messages simultaneously to lists of thousands of wireless telephone numbers
4 without human intervention.

5 30. These text calls were made *en masse* through the use of a short code and
6 without the prior express consent of the Plaintiff and the other members of the Class.

7 31. Defendant has, therefore, violated 47 U.S.C. § 227(b)(1)(A)(iii). As a
8 result of Defendant's illegal conduct, the members of the class suffered actual
9 damages by, *inter alia*, having to pay their respective wireless carriers for the text
10 messages where applicable and, under section 227(b)(3)(B), are each entitled to, *inter*
11 *alia*, a minimum of \$500.00 in damages for each violation of such act.

12 32. Because Defendant had knowledge that Plaintiff and the Class did not
13 consent to the receipt of the aforementioned wireless spam, the Court should,
14 pursuant to section 47 U.S.C. § 227(b)(3)(C), treble the amount of statutory damages
15 recoverable by the Plaintiff and the other members of the Class.

16
17 WHEREFORE, Plaintiff Samantha Ellison, on behalf of herself and the Class,
18 prays for the following relief:

- 19 1. An order certifying the Class as defined above;
 - 20 2. An award of actual and statutory damages;
 - 21 3. An injunction requiring Defendant to cease all wireless spam
22 activities;
 - 23 4. An award of reasonable attorneys' fees and costs; and
 - 24 5. Such further and other relief the Court deems reasonable and just.
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1 Dated: July 19, 2011

Respectfully submitted,

2
3 By:  _____

4 David C. Parisi
5 Suzanne Havens Beckman
6 Azita Moradmand
7 PARIS & HAVENS LLP
8 Attorneys for SAMANTHA ELLISON,
9 individually and on behalf of
10 a class of similarly situated individuals
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JURY DEMAND

Plaintiff demands a trial by jury of all causes of action and matters so triable.

Dated: July 19, 2011

Respectfully submitted,

By: 

David C. Parisi
Suzanne Havens Beckman
Azita Moradmand
PARISI & HAVENS LLP
Attorneys for SAMANTHA ELLISON,
individually and on behalf of
a class of similarly situated individuals

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

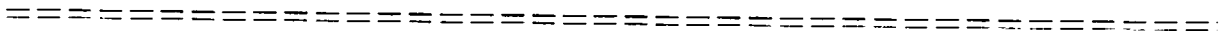
This case has been assigned to District Judge Valerie Baker Fairbank and the assigned discovery Magistrate Judge is Alicia G. Rosenberg.

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

CV11- 5935 VBF (AGR~~x~~)

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



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 St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

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

Name & Address:
Suzanne Havens Beckman (SBN 188814)
PARISI & HAVENS LLP
15233 Valleyheart Drive
Sherman Oaks, California 91403

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SAMANTHA ELLISON, individually and on behalf
of a class of similarly situated individuals,

PLAINTIFF(S)

v.

STEVEN MADDEN, LTD., a Delaware corporation,

DEFENDANT(S).

CASE NUMBER

CV11-05935 VB# (A612x)

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Suzanne Havens Beckman, whose address is 15233 Valleyheart Driver, Sherman Oaks, California 91403. If you fail to do so, 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.

Clerk, U.S. District Court

Dated: JUL 19 2011

By: _____
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) SAMANTHA ELLISON, individually and on behalf of a class of similarly situated individuals	DEFENDANTS STEVEN MADDEN, LTD., a Delaware corporation
b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Suzanne Havens Beckman PARISI & HAVENS LLP 15233 Valleyheart Drive, Sherman Oaks, California 91403	Attorneys (If Known)

BASIS OF JURISDICTION (Place an X in one box only.) U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) U.S. Government Defendant <input checked="" 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 style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-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 checked="" type="checkbox"/> 2	<input checked="" 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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ORIGIN (Place an X in one box only.)

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

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

ASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT: \$** _____

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.)

1) VIOLATION OF THE TELECOMMUNICATIONS PRIVACY ACT, 47 U.S.C. § 227; (2) DAMAGES AND INJUNCTIVE RELIEF

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

<input type="checkbox"/> 10 State Reapportionment <input type="checkbox"/> 10 Antitrust <input type="checkbox"/> 10 Banks and Banking <input type="checkbox"/> 10 Commerce/ICC Rates/etc. <input type="checkbox"/> 10 Deportation <input type="checkbox"/> 10 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 10 Consumer Credit <input type="checkbox"/> 10 Cable/Sat TV <input type="checkbox"/> 0 Selective Service <input type="checkbox"/> 10 Securities/Commodities/Exchange <input type="checkbox"/> 15 Customer Challenge 12 USC 3410 <input type="checkbox"/> 10 Other Statutory Actions <input type="checkbox"/> 1 Agricultural Act <input type="checkbox"/> 2 Economic Stabilization Act <input type="checkbox"/> 3 Environmental Matters <input type="checkbox"/> 4 Energy Allocation Act <input type="checkbox"/> 5 Freedom of Info. Act <input type="checkbox"/> 0 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 0 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 <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	<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 <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<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 <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <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	<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 <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 <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <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)) <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV11-05935

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
	Illinois

(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
Los Angeles County	

(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
	Illinois

* 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 7.19.11

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))