

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

THEODORE M. WASHINGTON, II
an individual,

Plaintiff,

CASE NO.:

v.

CITY OF ORLANDO, FLORIDA,
a Florida municipality,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, THEODORE M. WASHINGTON, II (hereinafter, “Plaintiff” or “Washington”) by and through his undersigned counsel, sues Defendant, CITY OF ORLANDO, FLORIDA, (hereinafter, “Defendant” or the “City”) pursuant to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000e *et seq.* (“Title VII”) and the Florida Civil Rights Act of 1992, Section 760.10 *et seq.* (“FCRA”) to redress Defendant's unlawful employment practices, including Defendant’s discrimination and retaliation of Plaintiff based upon gender/sexual orientation and in support thereof states as follows:

PARTIES, JURISDICTION AND VENUE

1. The Plaintiff, THEODORE M. WASHINGTON II, is a resident of Orange County, Florida at all times pertinent to this matter.
2. Defendant, CITY OF ORLANDO, FLORIDA, is a Florida municipality located in Orange County, Florida at all times pertinent to Plaintiff’s claims.

3. Venue is proper in this District because Defendant operates its municipal government in Orange County, Florida and Plaintiff's claims accrued in said County as well.
4. This Court has subject matter jurisdiction over the Plaintiff's claims because this action arises under federal law, Title VII. Likewise, this Court has pendent jurisdiction over Plaintiff's state FCRA claims.
5. Washington has performed all conditions precedent necessary to the maintenance of this action, including the timely filing of a charge of discrimination with the United States Equal Employment Opportunity Commission ("EEOC") and the Florida Commission on Human Relations ("FCHR") and receipt of a Notice of Right to Sue from same with respect to said charge and the timely filing of this action.

FACTUAL ALLEGATIONS

6. Plaintiff has been employed by Defendant as a Fire Inspector in the City's Fire Department since June of 2019.
7. Plaintiff has been a good and productive employee for Defendant during his employment, taking pride in his work and the community he serves.
8. Plaintiff is a male whose sexual orientation is homosexual.
9. On about Washington's third day of employment with Defendant he was approached at his work cubicle desk by Deputy Fire Marshal Alvin Sims who noticed a photograph of a male in his work cubicle and inquired if that was Plaintiff's brother. Washington informed him that it was instead his boyfriend.
10. In response to this information Deputy Marshall Sims stated with a look of disgust that Plaintiff should take down the photograph and that Washington was to keep his private life private.

11. Plaintiff declined to take down the photograph when most of the inspectors and co-workers, including Deputy Marshall Sims, were permitted to have pictures of their respective significant others, and loved ones in their workspace.
12. After the above incident Washington noticed that his work environment began to change into one that was more hostile towards him, where he was more ostracized and treated differently than his co-workers for no valid reason.
13. On or about July 15, 2019, his department had a fish fry breakfast wherein the entire 3rd floor attended. As Washington approached the break area and grabbed a spoon Inspector Williams stated to the Plaintiff in front of a number of co-workers that Plaintiff was to “get those dick beaters away from the food and go wash your hands.” The comment was overheard by Deputy Marshall Sims, among others.
14. Plaintiff was absolutely humiliated and discouraged by the above incident, but chose to not complain for fear of retaliation, as Plaintiff was a new employee on probation and a top member of management, Deputy Marshall Sims, had already conveyed his disgust with Plaintiff and his sexual orientation.
15. On or about July 23, 2019, Plaintiff’s division walked to a nearby 7-Eleven store for coffee. Washington was talking to a fellow female coworker and sharing pictures on their phones when Inspector Williams walked over and stated to Plaintiff that he was to “get that gay shit away from me. I’m not with all that gay shit.”
16. This event caused Washington to be further isolated from his co-workers.
17. On or about August 6, 2019, Plaintiff met with Deputy Marshall Sims where he was instructed to keep personal space between him and Inspector Williams. Plaintiff did

- not understand why he was being asked such a question, as Williams was the one who had actively humiliated and harassed Plaintiff due to his sexual orientation.
18. After Washington explained to Deputy Marshall Sims that he had been keeping notes contemporaneously with such acts of discrimination his tone towards Plaintiff changed. Deputy Marshall Sims then stated to Plaintiff, “I have to ask you this question and I need you to be honest with me. Do you like [Inspector] Mark Williams?”
 19. A humiliated and targeted Washington responded no, he was not. Deputy Marshall Sims then stated to Plaintiff that “we hired you to carry yourself like a straight man.”
 20. Dendant continued to ostracize and otherwise discriminate against Plaintiff during the next several months.
 21. On or about January 3, 2020, Washington requested a meeting with Fire Marshall Hughes to discuss his hostile and discriminatory work environment. After hearing Plaintiff’s complaints Fire Marshall Hughes stated that she was “taking over your training; I don’t want another sexual harassment case in this department.”
 22. Several weeks later Plaintiff and most of his department were attending a weekly office meeting when an Inspector Dix who was in attendance looked down at Inspector Williams and Williams exploded at him with a loud outburst yelling, “What are you looking down here for? I don’t want to be your boyfriend! I’m not with that gay stuff man! Stop looking down here with that gay stuff! I’m not with that faggot shit!”
 23. Inspector Williams knew that Plaintiff, as well as numerous others at the conference table, heard the vile and malicious homophobic statements he had made, yet they

acted as if they had not. In response Plaintiff simply exclaimed, “Wow,” as Washington was shocked that nobody, including his immediate supervisor and other managing supervisors, did anything in response to William’s inappropriate outburst.

24. Washington subsequently complained to Deputy Marshall Sims about the hostile and discriminatory statement that he was there to witness, as well as other discriminatory incidents, yet Sims claimed that he had not heard it despite the statement being made across the table from Williams.

25. Such hostility and disparate treatment continued, including Washington’s work being overly and inequitably scrutinized and given little credit compared to co-workers who were not as productive as himself.

26. Plaintiff continued to complain to Defendant’s H.R./Labor Relations Department, including an email communication he sent on or about March 3, 2020.

27. Unfortunately Plaintiff’s complaints of discrimination were all but ignored and the harassment continued unabated, even increasing in retaliation for his ongoing complaints to Defendant.

28. On or about March 22, 2021, Washington sent an email to Deputy Marshall Sims and Fire Marshall Hughes inquiring about obtaining a promotion to the Inspector Three (3) position. Deputy Marshall Sims stated that Plaintiff needed five (5) years of experience and that his prior experience doing the same work at another City did not count towards the required years. The Fire Marshall also opined that Washington would have to “wait like the rest of the inspectors,” referring to the other level two (2) inspectors, Williams and Figuora, though they did not have Plaintiff’s experience.

29. Approximaltey one day later Washington again discussed the topic with Fire Marshall Hughes wherein she reiterated her questionable assertion that Plaintiff did not have the requisite experience and that the promotion will be decided when she feels he is ready for same.
30. Plaintiff believed the Fire Marshall's position was not supported by facts and governing guidelines and that this was a discriminatory adverse action taken against him and was also undertaken in retaliation for his prior complaints of discrimination.
31. When Plaintiff mentioned that he may have to push the issue through his union representation Fire Marshall Hughes threatened Plaintiff, stating that if he involved the union they better leave her alone or it would get ugly.
32. The next day, March 25, 2021, Deputy Marshall Sims attempted to intimidate Plaintiff during a department meeting he attended by stating that Plaintiff could not reach outside of the department due to the chain of command, even by complaining to and through his union representatives.
33. On or about May 3, 2021, Plaintiff received a Notice of Investigation alleging wrongdoing on his part allegedly based upon conducting himself inappropriately during an inspection that he had performed at a hotel on April 27, 2021. Plaintiff ultimately received a written reprimand based upon false allegations regarding Washington's performance during said inspection. Worth noting is that on April 29, 2021, Chief Building Inspector Scott Merick pointed out what a great job Plaintiff had done during the same inspection, highlighting this point through a chain of emails between management.

34. The above reprimand was not factually supported and represented more retaliation and disparate treatment when compared to co-workers who have engaged in actual improper conduct.
35. The following day Plaintiff attended a meeting with management, including Labor Relations, to discuss the promotion he sought, the chain of command issues and Defendant's position regarding same. Deputy Marshall Sims and management were vague and evasive with regard to the number of years of service that were required for such a promotion, despite their prior contention regarding same.
36. In adding new required qualifications for Plaintiff to obtain the promotion, the Fire Marshall was reflecting the animus and retaliatory work environment that Plaintiff had been forced to endure. This was especially true given Plaintiff's education, certifications, and experience in this field prior to my working for the Defendant City.
37. Most disturbing, however, was that on or about June 7, 2021, the Fire Marshall informed Plaintiff when she encountered him in the City's parking garage that management had it out for Washington, in her opinion he was merely a basic level inspector, that management was upset regarding his prior discrimination complaints and were trying to terminate Plaintiff. Moreover, the Fire Marshall claimed that she herself was "locked and loaded", thus openly sharing such retaliatory animus towards the Plaintiff.
38. Plaintiff complained to Defendant's Labor Relations department, as he had done before, but instead of attempting to resolve these issues when made aware, the City instead further harassed and intimidated Washington in retaliation for his protected speech.

39. Such disparate and retaliatory treatment included, among other things, being denied training opportunities offered to others; fabricating incidents as a pretext to punish Plaintiff, yet not subjecting his co-workers to discipline and/or adverse acts for their engaging in actual violations of City policy and more.
40. Likewise, in October of 2021, Plaintiff received an unwarranted lower performance evaluation by Defendant in retaliation for his ongoing acts of protected activity, opposing his discriminatory work environment. When Washington attempted to appeal his evaluation the City initially ignored his request for same and ultimately ignored its own procedural requirements for dealing with such an appeal request when it finally denied same after almost a month.
41. Defendant has continued to harass and treat Plaintiff in a discriminatory and demeaning manner on a regular basis. Such acts include Deputy Marshall Sims repeatedly yelling at Washington in February of 2022, that Plaintiff should answer his question “like a man” when Sims inquired why the Plaintiff had not attended a training session that he was unavailable for due to Defendant scheduling Plaintiff elsewhere.
42. Likewise, in March of 2022, Defendant without factual basis or merit, questioned Plaintiff’s work performance and ability to due his work duties. Believing Defendant’s retaliatory motive in applying a different set of standards to Washington is the fact that he had been covering three (3) different stations in his department until the City is able to hire more individuals to assist with the workload. Moreover, during the same period of time Plaintiff was second on the list for number of inspections completed by such inspectors.

43. While Defendant has consistently taken steps to retaliate and intimidate Washington due to his sexual orientation and for objecting to said discrimination, Plaintiff's co-workers have likewise joined in the harassment of Plaintiff by ostracizing him and fabricating allegations to portray him as acting inappropriately towards said co-worker(s), using negative tropes and stereotypes against homosexuals.
44. Defendant's articulated reasons for discriminating and retaliating against Plaintiff are a pretext to engage in illegally motivated conduct.
45. Plaintiff has suffered damages as a direct and proximate result of Defendant's illegal conduct.
46. As a result of the foregoing, Plaintiff has had to retain the services of undersigned counsel and has agreed to pay said counsel a reasonable attorney's fee.

COUNT I
DISCRIMINATION BASED UPON SEXUAL ORIENTATION
IN VIOLATION OF TITLE VII

47. Plaintiff adopts and re-alleges paragraphs one (1) through forty-six (46) as if fully set forth herein.
48. Title VII of the Civil Rights Act of 1964 provides that it shall be an unlawful employment practice for an employer (1) to fail or refuse to hire or to discharge or otherwise to discriminate against any individual with respect to their compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin. 42 U.S.C. 2000e-2(a)(1).
49. It is a violation of Title VII for an employer to discriminate against an individual as described above because of said individual's sexual orientation.
50. Plaintiff identifies as a gay male and, as such, belongs to a protected category.

51. As described above, Defendant has intentionally, willfully, and wantonly discriminated against Plaintiff because of his sexual orientation and in violation of Title VII.

52. As a direct and proximate result of Defendant's discriminatory conduct, Plaintiff has suffered damages and is entitled to judgment.

WHEREFORE, Plaintiff, Theodore M. Washington, demands judgment as follows:

- a) Front pay in lieu of promotion to the position he sought;
- b) Back pay;
- c) Compensatory damages, including emotional distress;
- d) Prejudgment interest;
- e) Attorneys' fees pursuant to 42 U.S.C. 2000e-5(k), 29 U.S.C. §2617(a)(3) and other applicable statutes whether state or federal;
- f) Costs of this action (including expert fees);
- g) Grant a preliminary and permanent injunction prohibiting the Defendant, its officers, successors, assigns, affiliates and all persons in active concert or participation with the Defendant from engaging in any practices that discriminate on the basis of sexual orientation; and
- h) For such other relief as this Court deems just and proper.

COUNT II
DISCRIMINATION BASED UPON SEXUAL ORIENTATION
IN VIOLATION OF THE FCRA

53. Plaintiff adopts and re-alleges paragraphs one (1) through forty-six (46) as if fully set forth herein.

54. The FCRA provides in pertinent part that it shall be an unlawful employment practice for an employer to fail or refuse to hire or to discharge or otherwise to discriminate

against any individual with respect to their compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin.

55. It is a violation of the FCRA for an employer to discriminate against an individual as described above because of said individual's sexual orientation.

56. Plaintiff identifies as a gay male and, as such, belongs to a protected category.

57. As described above, Defendant has intentionally, willfully, and wantonly discriminated against Plaintiff because of his sexual orientation and in violation of the FCRA.

58. As a direct and proximate result of Defendant's discriminatory conduct, Plaintiff has suffered damages and is entitled to judgment.

WHEREFORE, Plaintiff, Theodore M. Washington, demands judgment as follows:

- a) Front pay in lieu of promotion to the position he sought;
- b) Back pay;
- c) Compensatory damages, including emotional distress;
- d) Prejudgment interest;
- e) Attorneys' fees pursuant to the FCRA and other applicable statutes;
- f) Costs of this action (including expert fees);
- g) Grant a preliminary and permanent injunction prohibiting the Defendant, its officers, successors, assigns, affiliates and all persons in active concert or participation with the Defendant from engaging in any practices that discriminate on the basis of sexual orientation; and
- h) For such other relief as this Court deems just and proper.

COUNT III – RETALIATION IN VIOLATION OF TITLE VII

59. Plaintiff adopts and re-alleges paragraphs one (1) through forty-six (46) as if fully set forth herein.
60. Plaintiff was in a protected group (sexual orientation) at all times material to this action.
61. Defendant has subjected Plaintiff to a pattern of discrimination based upon Plaintiff's sexual orientation.
62. Plaintiff engaged in protected activity by opposing the above discrimination that Plaintiff was subjected to by Defendant.
63. Defendant retaliated against Plaintiff for his having voiced opposition to Defendant's discriminatory conduct.
64. Defendant violated Title VII by retaliating against Plaintiff for said opposition.
65. Plaintiff has been damaged by the conduct of Defendant.

WHEREFORE, Plaintiff, Theodore M. Washington, requests this Honorable Court to:

- a) Grant a permanent injunction enjoining Defendant from engaging in any employment practice violative of Title VII;
- b) Declare Defendant's conduct to be in violation of Title VII and order Defendant to institute policies, practices and programs which provide equal employment opportunities for individuals and which eradicate the effects of its past and present unlawful practices;
- c) Grant a judgment requiring Defendant to pay to Plaintiff any back wages and back benefits found to be due and owing to him at the time of trial, front pay in lieu of promotion to the position he sought and benefits, compensatory damages in an amount to be proved at trial, including emotional distress damages and prejudgment interest thereon;

- d) Grant Plaintiff his costs (including expert fees) and an award of reasonable attorney's fees under Title VII; and
- e) Grant Plaintiff trial by jury and such further relief as the Court deems just and equitable.

COUNT IV – RETALIATION IN VIOLATION OF THE FCRA

- 66. Plaintiff adopts and re-alleges paragraphs one (1) through forty-six (46) as if fully set forth herein.
- 67. Plaintiff was in a protected group (sexual orientation) at all times material to this action.
- 68. Defendant has subjected Plaintiff to a pattern of discrimination based upon Plaintiff's sexual orientation.
- 69. Plaintiff engaged in protected activity by opposing the above discrimination that Plaintiff was subjected to by Defendant.
- 70. Defendant retaliated against Plaintiff for his having voiced opposition to Defendant's discriminatory conduct.
- 71. Defendant violated the FCRA by retaliating against Plaintiff for said opposition.
- 72. Plaintiff has been damaged by the conduct of Defendant.

WHEREFORE, Plaintiff, Theodore M. Washington, requests this Honorable Court to:

- a) Grant a permanent injunction enjoining Defendant from engaging in any employment practice violative of the FCRA;
- b) Declare Defendant's conduct to be in violation of the FCRA and order Defendant to institute policies, practices and programs which provide equal employment opportunities for individuals and which eradicate the effects of its past and present unlawful practices;

- c) Grant a judgment requiring Defendant to pay to Plaintiff any back wages and back benefits found to be due and owing to him at the time of trial, front pay in lieu of promotion to the position he sought and benefits, compensatory damages in an amount to be proved at trial, including emotional distress damages and prejudgment interest thereon;
- d) Grant Plaintiff his costs (including expert fees) and an award of reasonable attorney's fees under the FCRA; and
- e) Grant Plaintiff trial by jury and such further relief as the Court deems just and equitable.

DEMAND FOR JURY TRIAL

Plaintiff hereby exercises his right to have a jury trial for all issues triable as such under law.

Dated: 5/3/22

Respectfully submitted,

TOBIN LAW GROUP, PL

/s/ Bradley A. Tobin _____

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CIVIL COVER SHEET

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
(b) County of Residence of First Listed Plaintiff
(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS
County of Residence of First Listed Defendant
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)
1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
PTF DEF
Citizen of This State 1 1
Citizen of Another State 2 2
Citizen or Subject of a Foreign Country 3 3
Incorporated or Principal Place of Business In This State 4 4
Incorporated and Principal Place of Business In Another State 5 5
Foreign Nation 6 6

IV. NATURE OF SUIT (Place an "X" in One Box Only) Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, TORTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, INTELLECTUAL PROPERTY RIGHTS, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 310 Airplane, 365 Personal Injury, etc.

V. 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 Multidistrict Litigation - Transfer
8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION
Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Brief description of cause:

VII. REQUESTED IN COMPLAINT:
CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY
RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 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 by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating 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 Rule 8(a), F.R.Cv.P., 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.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 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.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 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 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 there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN 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 Brief Description: 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 Rule 23, F.R.Cv.P.
 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 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

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

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____ .

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____ , who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____ ; or

I returned the summons unexecuted because _____ ; or

Other *(specify)*: _____ .

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: