

1 Bruce V. Friedman, Esq. State Bar No. 255014  
2 5269 Branford Ave.  
3 Memphis, TN. 38120  
4 Phone: 901-216-7298

5 Attorney for Plaintiffs

6  
7 **UNITED STATES DISTRICT COURT,**  
8 **EASTERN DISTRICT OF CALIFORNIA**

9	ASHISH JOBANPUTRA, an individual;	)	<b>Case No.:</b>
10	MANISH THAKKAR, an Individual;	)	
11	CLASSIC HOSPITALITY, LLC, a California	)	<b>COMPLAINT FOR VIOLATION OF</b>
12	limited liability company	)	<b>CIVIL RIGHTS (42 U.S.C. § 1983)</b>
13	Plaintiff(s),	)	1. <b>DESCRIMINATION</b>
14	vs.	)	2. <b>DUE PROCESS VIOLATION</b>
15	CITY OF ANDERSON, a California	)	
16	Municipal Corporation;	)	
17	ANDERSON FIRE PROTECTION	)	
18	DISTRICT, a Special District, separate from	)	
19	the City of Anderson;	)	
20	BRAD HAWKINS, an individual;	)	
21	STEVEN ALLRED, an individual;	)	
	Defendant(s)	)	

22 Plaintiffs Ashish Jobanputra, Manish Thakkar and Classic Hospitality, LLC, allege as follows:

23 **PARTIES**

24 1. Plaintiff Ashish Jobanputra:

25 Ashish Jobanputra (hereinafter "AJ") is an individual residing in the State of California.  
26 AJ is the Manager of Classic Hospitality, LLC. He has been directly involved in the day-to-day  
27 operations of Classic Hospitality, LLC, and has suffered damages as a result of the discriminatory  
28 and unlawful actions of the Defendants.

1 2. Plaintiff Manish Thakkar:

2 Manish Thakkar (hereinafter "Thakkar") is an individual residing in the State of California.  
3 Thakkar is the President of Classic Hospitality, LLC and is actively involved in the management and  
4 operations of the company. Thakkar, like AJ, has suffered damages as a result of the discriminatory  
5 and unlawful actions of the Defendants, and he is suing for the same causes of action.

6 3. Plaintiff Classic Hospitality, LLC:

7 Classic Hospitality, LLC (hereinafter "Classic Hospitality") is a limited liability company organized  
8 under the laws of the State of California, with its principal place of business located in Anderson,  
9 California. Classic Hospitality owns and operates the Baymont Inn and Suites in Anderson,  
10 California, and has suffered significant financial damages due to the wrongful actions of the  
11 Defendants.

12 4. Defendant City of Anderson:

13 The City of Anderson (hereinafter "City") is a municipal corporation located in Shasta County,  
14 California. The City is responsible for issuing permits, conducting inspections, and ensuring  
15 compliance with building and safety regulations within its jurisdiction.

16 5. Defendant Anderson Fire Protection District:

17 Anderson Fire Protection District (hereinafter "Fire District") is a separate legal entity from the City  
18 of Anderson, responsible for fire safety and enforcement within its jurisdiction, including conducting  
19 fire inspections and issuing fire safety directives.

20 6. Defendant Brad Hawkins:

21 Brad Hawkins (hereinafter "Hawkins") is an individual residing in the State of California. At all  
22 relevant times, Hawkins was employed by the City of Anderson as a building inspector and acted  
23 within the scope of his employment. Hawkins played a significant role in the wrongful and  
24 discriminatory actions against the Plaintiffs.

25 7. Defendant Steven Allred:

26 Steven Allred (hereinafter "Allred") is an individual residing in the State of California. At all  
27 relevant times, Allred was employed by the Anderson Fire Protection District as a fire marshal and  
28 acted within the scope of his employment. Allred played a significant role in the wrongful

1 and discriminatory actions against the Plaintiffs.

2 **JURISDICTION AND VENUE**

3 8. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)  
4 and (4).

5 9. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because the events giving rise to  
6 the claims occurred in this district.

7 **INTRODUCTION**

8 10. This is a civil rights action brought under 42 U.S.C. § 1983 to redress the deprivation of rights  
9 secured to the Plaintiffs by the Constitution and laws of the United States and the State of California.  
10 Plaintiffs Ashish Jobanputra and Manish Thakkar, both residents of the State of California and key  
11 figures in Classic Hospitality, LLC, a limited liability company operating in Anderson, California,  
12 seek redress for the unlawful, discriminatory, and retaliatory actions taken against them by the  
13 Defendants, including the City of Anderson, the Anderson Fire Protection District, Brad Hawkins,  
14 and Steven Allred.

15 11. This action arises from a series of discriminatory and unlawful acts by the Defendants,  
16 culminating in the wrongful red-tagging of Plaintiffs' hotel property, Baymont Inn and Suites, located  
17 in Anderson, California. These actions were taken without due process, resulting in severe financial  
18 and reputational damage to Plaintiffs.

19 12 Ashish Jobanputra, the manager of Classic Hospitality, LLC. Plaintiffs allege that Defendants'  
20 actions were motivated by discrimination, targeting AJ and Thakkar and their business in a manner  
21 that similarly situated business owners were not subjected to.

22 13. Plaintiffs' claims include, but are not limited to, discrimination under 42 U.S.C. § 1983 and a due  
23 process violation for the Defendants' failure to provide the statutorily required period to remedy  
24 alleged violations before red-tagging the property, thereby depriving Plaintiffs of their property rights  
25 without due process of law.

26 14. Plaintiffs seek compensatory and punitive damages for the substantial economic losses incurred  
27 due to the Defendants' actions. These losses include, but are not limited to, the loss of a lucrative sale  
28 of the property for \$8.8 million, the termination of significant business contracts, substantial

1 loss of revenue, and the costs associated with relocating and refunding guests.

2 15. Plaintiffs further seek declaratory and injunctive relief to prevent the Defendants from engaging  
3 in such discriminatory and unlawful practices in the future, ensuring that other business owners do  
4 not suffer similar injustices.

5 16. This Court has jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question  
6 jurisdiction) and 28 U.S.C. § 1343(a)(3) (jurisdiction over civil rights actions).

7 17. Venue is proper in the Eastern District of California pursuant to 28 U.S.C. § 1391(b) because the  
8 events giving rise to this action occurred in this district, and Defendants reside or are located in this  
9 district.

10 18. Plaintiffs have complied with all administrative prerequisites and conditions precedent to bringing  
11 this action.

#### 12 **FACTUAL ALLEGATIONS**

13 19. On December 23, 2019, Classic Hospitality, LLC, managed by AJ and Thakkar, purchased the  
14 Baymont Inn and Suites hotel property in Anderson, California, with the intention of renovating and  
15 improving the property to increase its value and profitability.

16 20. In January 2020, Classic Hospitality, LLC, obtained a permit from the City of Anderson to  
17 replace the roof of the hotel. This was the first step in a comprehensive remodeling plan aimed at  
18 revitalizing the property.

19 21. In February 2020, Classic Hospitality, LLC, hired Tyler and Haley from One Shop Community as  
20 architects to design and oversee the remodeling project. This partnership was part of a strategic effort  
21 to ensure the renovations met all regulatory standards and improved the hotel's amenities.

22 22. The COVID-19 pandemic struck in March 2020, leading to a nationwide shutdown. Despite these  
23 challenges, Classic Hospitality, LLC, continued to plan and prepare for the remodeling project.

24 23. On September 23, 2020, the City of Anderson issued permits for the remodeling of the hotel, after  
25 all relevant fees were paid and necessary documentation, including plans and scope of work, were  
26 submitted. These permits were essential for the lawful continuation of the remodeling project.

27 24. Throughout 2021, various inspections were conducted as part of phase one of the  
28 remodeling project. These inspections covered rooms, hallways, and other areas, ensuring

1 compliance with building codes and safety regulations.

2 25. Due to high occupancy during the summer of 2021, room and hallway remodeling was  
3 temporarily halted. However, other significant improvements continued, including the renovation of  
4 the pool, hot tub, patio, exterior stucco, new exterior paint, and the replacement of signs and ADA  
5 parking lots. Routine inspections confirmed compliance and progress.

6 26. On March 17, 2022, Brad Hawkins, the new building inspector, along with Steven Allred, the fire  
7 marshal, arrived to inspect phase two of the remodeling, which included several downstairs and  
8 upstairs rooms. Despite prior inspections and approvals, Hawkins and Allred demanded the  
9 resubmission of all plans, claiming they had no records of the ongoing remodeling.

10 27. On the same day, AJ provided Hawkins and Allred with copies of the original permits, scope of  
11 work, and his copies of the plans. However, the officials insisted on new plans from an engineering  
12 company, disregarding the existing approved documents and causing significant delays.

13 28. On March 18, 2022, Classic Hospitality, LLC, hired PACE Engineers to create new plans as  
14 demanded by Hawkins and Allred. Contact details of city officials were exchanged, and efforts to  
15 comply with the sudden new requirements began.

16 29. On April 4, 2022, PACE Engineers submitted the new plans to the City of Anderson). Despite  
17 this, on May 6, 2022, the city provided comments on the plans, further delaying the project.

18 30. Between May 7, 2022, and May 17, 2022, AJ engaged in various communications with PACE  
19 Engineers and city officials, attempting to address the comments and move the project forward).

20 31. On May 17, 2022, in a display of malice and disregard for due process, Hawkins and Allred,  
21 accompanied by other city and fire officials, arrived at the hotel with five police vehicles. They red-  
22 tagged the building, citing unsafe conditions due to the lobby being blocked off and exposed wires.  
23 The lobby was closed for safety reasons during the remodel, and the wires were not hot, but rather  
24 part of ongoing energy-efficient lighting upgrades.

25 32. The red-tagging resulted in the immediate evacuation of all guests and residents by police  
26 officers. This forced Classic Hospitality, LLC, to refund all guests and rehouse them in other hotels at  
27 its own expense, causing significant financial strain.

28 33. As a direct result of the red-tagging and the actions of Hawkins and Allred, a signed offer

1 to purchase the property for \$8.8 million was rescinded. The red-tagging undermined the property's  
2 value and sale potential.

3 34. Additionally, Classic Hospitality, LLC, lost two substantial contracts: one with a trucking  
4 company for lodging their employees and another with contractors of PG&E, hired to fight fires in  
5 the area. These cancellations severely impacted the hotel's revenue and bottom line and of course its  
6 valuation.

7 35. The financial losses included a significant drop in annual revenue, as evidenced by the year-over-  
8 year comparisons:

9 - Total Revenues for 2021: \$2,068,388.14

10 - Total Revenues for 2022: \$1,438,909.73

11 - Total Revenues for 2023: \$1,528,904.59

12 36. The property was performing strongly, with revenues in 2022 anticipated to exceed \$2.3 million  
13 based on early 2022 performance compared to 2021. This growth was abruptly halted by the  
14 Defendants' actions.

15 37. Throughout this ordeal, Defendants acted with malice, ill will, and an intent to discriminate  
16 against Ashish Jobanputra due to his Indian descent. The targeting of his business, the unreasonable  
17 demands for new plans, and the wrongful red-tagging without due process were part of a concerted  
18 effort to undermine his success.

19 38. Plaintiffs were deprived of their property rights and due process, suffering substantial economic  
20 harm, emotional distress, and reputational damage as a result of the Defendants' discriminatory and  
21 unlawful actions.

22 **FIRST CAUSE OF ACTION**

23 ***(Discrimination under 42 U.S.C. § 1983)***

24 39. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

25 40. Defendants, acting under color of state law, discriminated against Plaintiffs Ashish Jobanputra  
26 and Manish Thakkar in violation of his rights under the Equal Protection Clause of the Fourteenth  
27 Amendment to the United States Constitution.

28 41. Ashish Jobanputra is the manager of Classic Hospitality, LLC, a limited liability company

1 that owns and operates the Baymont Inn and Suites in Anderson, California.

2 42. Defendants City of Anderson, Anderson Fire Protection District, Brad Hawkins, and Steven  
3 Allred, individually and in their official capacities, engaged in discriminatory actions against  
4 Plaintiffs based on Ashish Jobanputra's race and national origin.

5 Element 1: Defendants acted under color of state law.

6 43. At all relevant times, Defendants Hawkins and Allred were employed by the City of Anderson  
7 and the Anderson Fire Protection District, respectively, and were acting within the scope of their  
8 official duties as public employees. Their actions were taken under color of state law as they were  
9 enforcing local building and fire codes.

10 Element 2: Plaintiff is a member of a protected class.

11 44. Plaintiff Ashish Jobanputra and Manish Thakkar are of foreign descent, which places them in a  
12 protected class based on race and national origin.

13 Element 3: Plaintiff was subjected to adverse treatment.

14 45. On March 17, 2022, Brad Hawkins and Steven Allred arrived to inspect the Baymont Inn and  
15 Suites. Despite previously issued permits and inspections, Hawkins and Allred demanded that all  
16 plans be resubmitted, claiming they had no records of the ongoing remodeling. This demand was  
17 unreasonable and caused significant delays and financial strain.

18 46. On May 17, 2022, Hawkins and Allred, along with other city and fire officials, red-tagged the  
19 building without proper notice or an opportunity to remedy the alleged violations. This action forced  
20 the immediate evacuation of all guests and residents, resulting in significant financial losses for  
21 Plaintiffs.

22 47. The red-tagging and subsequent actions by the Defendants were motivated by discriminatory  
23 intent against AJ and Thakkar. This is evidenced by the unreasonable demands, refusal to accept  
24 previously approved plans, and the failure to follow due process.

25 Element 4: Similarly situated individuals outside the protected class were treated more favorably.

26 48. Other property owners and businesses in Anderson, California, have not been subjected to similar  
27 unreasonable demands or sudden red-tagging without due process. These businesses were allowed to  
28 proceed with their remodeling projects without the same level of scrutiny or interference.

1 Element 5: Defendants' discriminatory intent.

2 49. The actions of Hawkins and Allred were unreasonable. Their insistence on new plans despite  
3 existing permits, the sudden red-tagging, and the refusal to allow the statutory seven-day period to  
4 remedy alleged violations all point to discriminatory intent.

5 Element 6: Harm caused by the discriminatory actions.

6 50. As a direct result of the Defendants' discriminatory actions, Plaintiffs suffered significant  
7 financial harm, including:

8 a. The loss of a signed offer to purchase the property for \$8.8 million.

9 b. The loss of two substantial contracts with a trucking company and contractors working for  
10 PG&E specially assigned to work pertaining to wild fires, leading to a severe impact on revenue.

11 c. Financial losses from having to refund guests and rehouse them in other hotels.

12 d. A substantial drop in annual revenue and anticipated earnings.

13 e. Emotional distress and reputational damage.

14 Element 7: Proximate cause.

15 51. Defendants' discriminatory actions were the direct and proximate cause of the damages suffered  
16 by Plaintiffs. The unreasonable demands for new plans, the wrongful red-tagging, and the denial of  
17 due process were all motivated by racial discrimination and directly resulted in the financial and  
18 emotional harm experienced by Plaintiffs.

19 **SECOND CAUSE OF ACTION**

20 ***(Due Process Violation under 42 U.S.C. § 1983)***

21 52. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

22 53. Defendants, acting under color of state law, deprived Plaintiffs of their property without due  
23 process of law, in violation of the Fourteenth Amendment to the United States Constitution.

24 Element 1: Defendants acted under color of state law.

25 54. At all relevant times, Defendants City of Anderson, Anderson Fire Protection District, Brad  
26 Hawkins, and Steven Allred were acting within the scope of their official duties as public employees.  
27 Their actions were taken under color of state law as they were enforcing local building and fire codes.

28 Element 2: Deprivation of a constitutionally protected property interest.



1 55. Plaintiffs had a constitutionally protected property interest in the continued operation of the  
2 Baymont Inn and Suites, their business, which was subject to local permits and approvals for  
3 remodeling.

4 Element 3: Deprivation without due process of law.

5 56. On March 17, 2022, Brad Hawkins and Steven Allred, acting on behalf of the City of Anderson  
6 and the Anderson Fire Protection District, demanded the resubmission of all plans for the remodeling  
7 of the Baymont Inn and Suites despite the existence of valid permits issued in September 2020.

8 57. On May 17, 2022, under the direction of Hawkins and Allred, city and fire officials red-tagged  
9 the Baymont Inn and Suites, effectively shutting down the business and forcing the immediate  
10 evacuation of all guests and residents.

11 58. Defendants failed and refused to provide Plaintiffs with the seven days allowed by statute to  
12 remedy any alleged violations before red-tagging the property. Instead, they demanded immediate  
13 compliance and evacuation, which is a clear violation of due process requirements.

14 Element 4: Lack of adequate notice and opportunity to be heard.

15 59. The Defendants did not provide Plaintiffs with adequate notice of the alleged violations or an  
16 opportunity to be heard before red-tagging the property. Plaintiffs were not given a chance to present  
17 their case or correct any supposed deficiencies before being forced to shut down their business.

18 Element 5: Harm caused by the deprivation.

19 60 As a direct result of the Defendants' actions, Plaintiffs suffered significant harm, including but not  
20 limited to:

- 21 a. Financial losses from the forced closure of the Baymont Inn and Suites.
- 22 b. The loss of a signed offer to purchase the property for \$8.8 million.
- 23 c. The loss of two substantial contracts with a trucking company and PG&E, leading to a severe  
24 impact on revenue.
- 25 d. Financial losses from having to refund guests and rehouse them in other hotels.
- 26 e. A substantial drop in annual revenue and anticipated earnings.
- 27 f. Emotional distress and reputational damage.

28 Element 6: Proximate Cause

1 Defendants' failure to provide due process was the direct and proximate cause of the damages  
2 suffered by Plaintiffs. The unreasonable demands for new plans, the wrongful red-tagging, and the  
3 denial of the statutory seven-day period to remedy alleged violations directly resulted in the financial  
4 and emotional harm experienced by Plaintiffs.

5 **PRAYER FOR RELIEF**

6 **WHEREFORE**, Plaintiffs Ashish Jobanputra and Classic Hospitality, LLC, d/b/a Baymont Inn and  
7 Suites, respectfully pray for judgment against Defendants City of Anderson, Anderson Fire  
8 Protection District, Brad Hawkins, and Steven Allred, as follows:

9 1. General and Compensatory Damages:

10 a. For general damages in an amount according to proof, including but not limited to, compensation  
11 for the financial losses resulting from the forced closure of the Baymont Inn and Suites, loss of  
12 business reputation, and emotional distress.

13 b. For compensatory damages in an amount according to proof, including but not limited to:

14 i. The loss of the \$8.8 million sale of the property due to Defendants' wrongful actions.

15 ii. The financial impact of the lost contracts with a trucking company and Contractors of PG&E,  
16 including projected revenue losses.

17 iii. The costs incurred by Plaintiffs to refund guests and rehouse them in other hotels.

18 2. Punitive Damages:

19 a. For punitive damages against the individual Defendants Brad Hawkins and Steven Allred, in an  
20 amount sufficient to punish them for their malicious, oppressive, and fraudulent conduct, and to deter  
21 such conduct in the future.

22 3. Special Damages:

23 a. For special damages in an amount according to proof, including but not limited to, additional  
24 expenses incurred due to the wrongful red-tagging and subsequent business disruption.

25 4. Statutory Damages:

26 a. For statutory damages as provided by law under 42 U.S.C. § 1983, to address the violations of  
27 Plaintiffs' civil rights.

28 5. Injunctive Relief:

1 a. For injunctive relief as necessary to prevent Defendants from engaging in further unlawful and  
2 discriminatory practices against Plaintiffs or other similarly situated individuals and businesses.

3 6. Attorneys' Fees and Costs:

4 a. For reasonable attorneys' fees and costs incurred in bringing this action, as provided by 42 U.S.C.  
5 § 1988 and other applicable statutes.

6 7. Pre-Judgment and Post-Judgment Interest:

7 a. For pre-judgment and post-judgment interest at the legal rate on all sums awarded to Plaintiffs,  
8 from the date of the judgment until paid in full.

9 8. Declaratory Relief:

10 a. For a declaration that the acts and practices complained of herein are unlawful and violate the  
11 rights of Plaintiffs under the Constitution and laws of the United States.

12 9. Other Relief:

13 a. For such other and further relief as the Court deems just and proper in the interests of justice.

14 Dated: 5-20-2024

15  
16 *Bruce V. Friedman*

17 \_\_\_\_\_  
18 Bruce V. Friedman,  
19 Attorney for Plaintiffs  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

Ashish Jobanputra, Manish Takkar and Classic Hospitality, LLC

(b) County of Residence of First Listed Plaintiff Contra Costa (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Bruce V. Friedman 5269 Branford Ave. Memphis, TN. 38120

DEFENDANTS

City of Anderson, Anderson Fire Protection District, Brad Hawkins and Steven Allred

County of Residence of First Listed Defendant Shasta (IN U.S. PLAINTIFF CASES ONLY)

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)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 210 Land Condemnation, 310 Airplane, 440 Other Civil Rights, 625 Drug Related Seizure, 710 Fair Labor Standards Act, 820 Copyrights, 870 Taxes, 375 False Claims Act, 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): 42 U.S.C., 1983

Brief description of cause: Discrimination and Due Process Violation

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

5-20-2024

SIGNATURE OF ATTORNEY OF RECORD

/s/ Bruce V. Friedman

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 cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.