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Attorney for Plaintiff, Maria Arevalo and All Others Similarly Situated

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CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA, CALIFORNIA

FILED

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

| | | |
|---|---|-----------------------------------|
| MARIA AREVALO, individually, and on behalf of All Others Similarly Situated, |) | Case No: SACV 14 - 01179 AG (ANx) |
| |) | |
| Plaintiffs, |) | CLASS ACTION COMPLAINT |
| |) | FOR DAMAGES FOR |
| vs. |) | VIOLATION OF CIVIL CODE |
| |) | SECTION 1936.01(b)(1)&(2) |
| |) | |
| U-HAUL INTERNATIONAL, INC. |) | |
| a Nevada Corporation, and DOES |) | |
| 1 through 10, inclusive, |) | DEMAND FOR JURY TRIAL |
| |) | |
| Defendants. |) | |

Plaintiff alleges:

1. Defendant U-HAUL INTERNATIONAL [hereinafter "UHAUL"] is, and at all times mentioned herein was, a Nevada Corporation and an automotive rental and leasing company, with its principal place of business in the State of Arizona. UHAUL conducts business in this Judicial District and throughout the

1 United States. As such, UHAUL is subject to the provisions of California Civil
2 Code Sec. 1936.01, and for purposes of this lawsuit, in particular Civil Code
3 Sections 1936.01(b)(1) and 1936.01(b)(2).
4

5 2. Plaintiff, MARIA AREVELO [hereinafter "PLAINTIFF"] and those
6 similarly situated, are persons and renters of UHAUL vehicles and bring this
7 lawsuit in that capacity.
8

9 3. Plaintiff is ignorant of the true names and capacities of Defendants
10 sued herein as Does 1 through 10, inclusive, and therefore sues these Defendants
11 by such fictitious names. Plaintiff will amend this complaint to allege their true
12 names and capacities when ascertained. Plaintiff is informed and believes, and
13 thereon alleges, that each of such fictitiously named Defendants is responsible in
14 some manner for the occurrences herein alleged and that Plaintiff's damages as
15 herein alleged were proximately caused by such Defendants' acts.
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19 4. At all times herein mentioned, each of the Defendants was an agent,
20 servant and employee of each of the remaining Defendants, and in doing the things
21 hereinafter described was acting within the course and scope of such agency,
22 servitude and employment, and with the permission and consent of his or her-
23 Defendants. Plaintiff is informed and believes and thereon alleges that Defendants,
24 and each of them, did join together in their conduct and formed a civil conspiracy
25 to violate the rights of Plaintiff. Each of the Defendants in furtherance of the
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28

1 conspiracy did one or more acts as alleged herein by lending aid and
2 encouragement to and/or ratifying or adopting the acts of the others of these
3 Defendants in the manner alleged herein and in specific by ratifying and adopting
4 the unfair debt collection practices alleged in this complaint.
5

6 **JURISDICTION AND VENUE**

7
8 5. Jurisdiction is conferred upon this Court pursuant to diversity of
9 citizenship, 28 USC Section 1332 in that this is a class action in which the amount
10 in controversy exceeds \$5 million and defendants are citizens of states other than
11 California.
12

13
14 6. Venue is proper in the Central District of California pursuant to 28
15 USC 1391(b) in that the unlawful conduct that gave rise to these claims occurred
16 within this Judicial District.
17

18 **FACTS COMMON TO THE CLAIMS ALLEGED HEREIN**

19 7. This is a class action on behalf of persons who have rented
20 vehicles from UHAUL in California and throughout the United States who were
21 subject to [a] UHAUL's advertising, which failed to give notice that UHAUL's
22 daily base rental fee includes an additional mandatory Environmental fee as a
23 condition of renting a UHAUL vehicle; and, [b] that UHAUL provided each of
24 these persons a quote and imposed charges for a daily rental rate that includes an
25 Environmental fee as a mandatory condition of renting the vehicle, that was not
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1 listed as part of the daily base rate. PLAINTIFF seeks damages for herself, and on
2 behalf of those similarly situated, including restitution and appropriate injunctive
3 relief, pursuant to Civil Code Section 1936.01(b)(9)(c), for these violations as
4 more fully described below.
5

6
7 **FIRST CAUSE OF CAUSE OF ACTION**
8 **Violation of Civil Code Section 1936.01(b)(1)**

9 8. PLAINTIFF realleges and incorporates by reference paragraphs 1
10 through 7, as if set forth herein.
11

12 9. On or about July 11, 2014, PLAINTIFF accessed UHAUL's website
13 in anticipation of renting a vehicle from UHAUL. The information on the website
14 advertised rental prices for various sizes of vehicles and quoted daily prices such as
15 the following: \$19.95 plus mileage fees and \$29.95 plus mileage fees. The
16 advertisement of these quotes made no reference that an additional Environmental
17 fee was a mandatory condition of renting the vehicle.
18
19

20 10. PLAINTIFF then telephoned the Costa Mesa, California, Newport
21 Blvd., UHAUL location to reserve a vehicle for the following day, July 12, 2014.
22 UHAUL advised PLAINTIFF a \$19.95 vehicle was not available, but a \$29.95 was
23 available. UHAUL then advised PLAINTIFF the rental fee would be \$29.95 per
24 day plus mileage charges. UHAUL failed to advise PLAINTIFF that a mandatory
25 Environmental fee would be added to the base rental fee of \$29.95 as a condition
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1 of renting the vehicle, thus making the actual daily rate \$30.95, instead of \$29.95.

2 11. Plaintiff is informed and believes and thereon alleges that every
3 person who rents vehicles from UHAUL in California and throughout the United
4 States is subject to UHAUL's false advertising of its daily rates, which do not list
5 the mandatory Environmental fee, and that UHAUL fails to list the Environmental
6 fee in its quotes.
7

8
9 12. UHAUL's advertising and quoting a rental rate that does not
10 include the mandatory Environmental fee is in violation of Civil Code Section
11 1936.01(b)(1). As such, PLAINTIFF and those similarly situated, are entitled
12 under Civil Code Section 1936.01(b)(9)(c), to damages, restitution, and injunctive
13 relief according to proof at the time of trial.
14
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16
17 **SECOND CAUSE OF CAUSE OF ACTION**
18 **Violation of Civil Code Section 1936.01(b)(2)**
19

20 13. PLAINTIFF realleges and incorporates by reference paragraphs 1
21 through 12, as if set forth herein.
22

23 14. On July 12, 2014, PLAINTIFF arrived at the Costa Mesa, California,
24 Newport Blvd., UHAUL location to rent the vehicle she had reserved the day
25 before. In preparing the paperwork for the rental UHAUL added to the rental
26 contract, as a separate line item added to the daily rate, a \$1.00 Environmental fee.
27
28

1 This additional fee increased the daily base amount of \$29.95 to \$30.95. The
2 Environmental fee was a mandatory condition of renting the vehicle.

3
4 15. Plaintiff rented the UHAUL vehicle and, at the time she returned it the
5 following day the Environmental fee was included as part of her payment on the
6 rental contract. Plaintiff is informed and believes that every person who rents
7 UHAUL vehicles in California and throughout the United States must pay the
8 Environmental fee in the sum of from \$1.00 to \$5.00 per day as a mandatory
9 condition added on to the base rental fee that UHAUL advertises. This additional
10 fee adds to the daily base rate, since it is a condition in order to rent a UHAUL
11 vehicle.
12
13

14
15 16. UHAUL's charging a rental rate that includes the mandatory
16 Environmental fee is in violation of Civil Code Section 1936.01(b)(2). As such,
17 PLAINTIFF and those similarly situated, are entitled, under Civil Code Section
18 1936.01(b)(9)(c), damages, restitution, and injunctive relief under according to
19 proof at the time of trial.
20
21

22 CLASS ACTION ALLEGATIONS

23
24 17. PLAINTIFF brings this action under Rule 23 of the Federal Rules of
25 Civil Procedure, on behalf of all persons who rented a UHAUL vehicle in
26 California and were charged a base rental rate as well as a separate Environmental
27 fee during the time period from March 4, 2008, through the time of trial in this
28

1 action. UHAUL began charging the Environmental fee at all its locations March 4,
2 2008, at which time all UHAUL rental customers became subject to it.

3
4 18. Class action treatment is appropriate here, because among other
5 things:

6 A. The class is sufficiently numerous, involving all individuals in the
7 State of California who have rented UHAUL vehicles during this time period,
8 which are estimated to exceed well over 5 million days of rentals, which included
9 payment of the mandatory environmental fee of at least \$1.00 per rental day.
10
11

12 B. The action involves questions of law and fact common to all putative
13 class members, including but not limited to All individuals in the State of
14 California who have wrongly incurred the mandatory Environmental fee as part of
15 the base price of UHAUL's daily rental rate.
16
17

18 C. PLAINTIFF's claims are typical of the claims that could be asserted
19 by members of the class, and PLAINTIFF is a member of the class;
20

21 D. PLAINTIFF and her counsel are adequate to represent the class and
22 have no known conflicts of interest with any class members;
23

24 E. Class treatment is superior to individual actions and the common
25 questions raised by this litigation predominate over individual issues.
26

27 ///

28 ///

RELIEF SOUGHT

1
2 WHEREFORE, PLAINTIFF prays for judgment against UHAUL as
3 follows:
4

5 1. For an Order determining this action is a proper class action under
6 FRCP, Rule 23, and designating PLAINTIFF and her counsel as counsel for the
7 Class;
8

9 2. For an Order awarding damages against UHAUL and in favor of
10 the representative PLAINTIFF and all members of the Class the full amount of
11 injuries determined to have been sustained by them on account of the violations
12 pursuant to Civil Code Section 1936.01(b)(9)(c);
13

14 3. For an injunction under Civil Code Section 1936.01(b)(9)(c);
15 ordering UHAUL to clearly and conspicuously advertise and display the
16 Environmental fee as a mandatory part of the based daily rental rates and to
17 include the mandatory Environmental fee as part of the daily base rental rate in all
18 of its quotes and rental contracts;
19

20 4. For reasonable attorney's fees;
21

22 5. For costs of suit incurred herein; and,
23

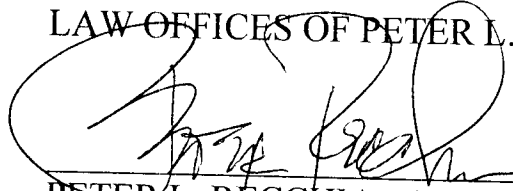
24 6. For such other and further relief as the Court may deem
25 just and fair.
26

27 ///
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DEMAND FOR JURY TRIAL

PLAINTIFF hereby demands a trial by jury on each cause of action.

LAW OFFICES OF PETER L. RECCHIA



PETER L. RECCHIA, Attorney for Plaintiff,
Maria Arevalo, and All Others Similarly Situated

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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I. (a) PLAINTIFFS (Check box if you are representing yourself)
MARIA AREVALO, individually, and on behalf of All Others Similarly Situated,

DEFENDANTS (Check box if you are representing yourself)
U-HAUL INTERNATIONAL, INC.

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

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

(c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.
LAW OFFICES OF PETER L. RECCHIA
1605 E. 4TH Street, Ste. 250, Santa Ana, CA 92701
(714) 541-2858

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

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-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

| | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" 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 type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input checked="" 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:** \$ 5,000,000+

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.)
California Civil Code Section 1936.01 ➔ 28 U.S.C. Section 1332; 28 U.S.C. 1391 (b)

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

| OTHER STATUTES | CONTRACT | REAL PROPERTY CONT. | 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 | Habeas Corpus: | <input 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 | TORTS | <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 | TORTS | PERSONAL PROPERTY | <input type="checkbox"/> 530 General | SOCIAL SECURITY |
| <input type="checkbox"/> 450 Commerce/ICC Rates/Etc. | <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment | PERSONAL INJURY | <input type="checkbox"/> 370 Other Fraud | <input type="checkbox"/> 535 Death Penalty | <input type="checkbox"/> 861 HIA (1395ff) |
| <input type="checkbox"/> 460 Deportation | <input type="checkbox"/> 151 Medicare Act | <input type="checkbox"/> 310 Airplane | <input type="checkbox"/> 371 Truth in Lending | Other: | <input type="checkbox"/> 862 Black Lung (923) |
| <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org. | <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.) | <input type="checkbox"/> 315 Airplane Product Liability | <input type="checkbox"/> 380 Other Personal Property Damage | <input type="checkbox"/> 540 Mandamus/Other | <input type="checkbox"/> 863 DIWC/DIWW (405 (g)) |
| <input type="checkbox"/> 480 Consumer Credit | <input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits | <input type="checkbox"/> 320 Assault, Libel & Slander | <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 550 Civil Rights | <input type="checkbox"/> 864 SSID Title XVI |
| <input type="checkbox"/> 490 Cable/Sat TV | <input type="checkbox"/> 160 Stockholders' Suits | <input type="checkbox"/> 330 Fed. Employers' Liability | BANKRUPTCY | <input type="checkbox"/> 555 Prison Condition | <input type="checkbox"/> 865 RSI (405 (g)) |
| <input type="checkbox"/> 850 Securities/Commodities/Exchange | <input type="checkbox"/> 190 Other Contract | <input type="checkbox"/> 340 Marine | <input type="checkbox"/> 422 Appeal 28 USC 158 | <input type="checkbox"/> 560 Civil Detainee Conditions of Confinement | FEDERAL TAX SUITS |
| <input type="checkbox"/> 890 Other Statutory Actions | <input type="checkbox"/> 195 Contract Product Liability | <input type="checkbox"/> 345 Marine Product Liability | <input type="checkbox"/> 423 Withdrawal 28 USC 157 | FORFEITURE/PENALTY | <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) |
| <input type="checkbox"/> 891 Agricultural Acts | <input type="checkbox"/> 196 Franchise | <input type="checkbox"/> 350 Motor Vehicle | CIVIL RIGHTS | <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"/> 893 Environmental Matters | REAL PROPERTY | <input type="checkbox"/> 355 Motor Vehicle Product Liability | <input type="checkbox"/> 440 Other Civil Rights | <input type="checkbox"/> 690 Other | |
| <input type="checkbox"/> 895 Freedom of Info. Act | <input type="checkbox"/> 210 Land Condemnation | <input checked="" type="checkbox"/> 360 Other Personal Injury | <input type="checkbox"/> 441 Voting | LABOR | |
| <input type="checkbox"/> 896 Arbitration | <input type="checkbox"/> 220 Foreclosure | <input type="checkbox"/> 362 Personal Injury-Med Malpractice | <input type="checkbox"/> 442 Employment | <input type="checkbox"/> 710 Fair Labor Standards Act | |
| <input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision | <input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 365 Personal Injury-Product Liability | <input type="checkbox"/> 443 Housing/Accommodations | <input type="checkbox"/> 720 Labor/Mgmt. Relations | |
| <input type="checkbox"/> 950 Constitutionality of State Statutes | | <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability | <input type="checkbox"/> 445 American with Disabilities-Employment | <input type="checkbox"/> 740 Railway Labor Act | |
| | | <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 446 American with Disabilities-Other | <input type="checkbox"/> 751 Family and Medical Leave Act | |
| | | <input type="checkbox"/> 369 Personal Injury Product Liability | <input type="checkbox"/> 448 Education | <input type="checkbox"/> 790 Other Labor Litigation | |
| | | | | <input type="checkbox"/> 791 Employee Ret. Inc. Security Act | |

**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 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.

| | | | |
|--|--|--|---|
| <p>QUESTION A: Was this case removed from state court? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.</p> | <p>STATE CASE WAS PENDING IN THE COUNTY OF:</p> <p><input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo</p> <p><input type="checkbox"/> Orange</p> <p><input type="checkbox"/> Riverside or San Bernardino</p> | <p>INITIAL DIVISION IN CACD IS:</p> <p>Western</p> <p>Southern</p> <p>Eastern</p> | |
| <p>QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If "no," skip to Question C. If "yes," answer Question B.1, at right.</p> | <p>B.1. Do 50% or more of the defendants who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> →</p> <p>B.2. Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →</p> | <p><input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.</p> <p><input type="checkbox"/> NO. Continue to Question B.2.</p> <p><input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.</p> <p><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.</p> | |
| <p>QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If "no," skip to Question D. If "yes," answer Question C.1, at right.</p> | <p>C.1. Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.? <i>check one of the boxes to the right</i> →</p> <p>C.2. Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.) <i>check one of the boxes to the right</i> →</p> | <p><input type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.</p> <p><input type="checkbox"/> NO. Continue to Question C.2.</p> <p><input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.</p> <p><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.</p> | |
| <p>QUESTION D: Location of plaintiffs and defendants?</p> <p>Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)</p> <p>Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)</p> | <p>A. Orange County</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> | <p>B. Riverside or San Bernardino County</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p>C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> |
| <p>D.1. Is there at least one answer in Column A? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If "yes," your case will initially be assigned to the SOUTHERN DIVISION. Enter "Southern" in response to Question E, below, and continue from there. If "no," go to question D2 to the right. →</p> | <p>D.2. Is there at least one answer in Column B? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If "yes," your case will initially be assigned to the EASTERN DIVISION. Enter "Eastern" in response to Question E, below. If "no," your case will be assigned to the WESTERN DIVISION. Enter "Western" in response to Question E, below. ↓</p> | | |
| <p>QUESTION E: Initial Division?</p> <p>Enter the initial division determined by Question A, B, C, or D above: →</p> | <p>INITIAL DIVISION IN CACD</p> <p>SOUTHERN <input checked="" type="checkbox"/></p> | | |
| <p>QUESTION F: Northern Counties?</p> <p>Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> | | | |

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

IX(a). IDENTICAL CASES: Has this action been previously filed in this court? NO YES

If yes, list case number(s): _____

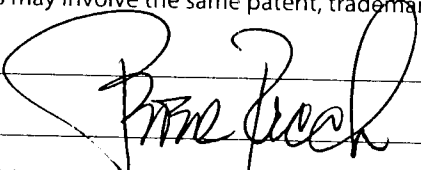
IX(b). RELATED CASES: Is this case related (as defined below) to any cases previously filed in this court? NO YES

If yes, list case number(s): _____

Civil cases are related when they:

- A. Arise from the same or closely related transactions, happening, or event;
- 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.

Check all boxes that apply. That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT):  DATE: 7/24/2014

Notice to Counsel/Parties: The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

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)) |