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18 Attorneys for Plaintiff
19 STEPHANIE MARRACCO

20 UNITED STATES DISTRICT COURT
21 CENTRAL DISTRICT OF CALIFORNIA

22 STEPHANIE MARRACCO on behalf of
23 herself and all others similarly situated,

24 Plaintiffs,

25 vs.

26 WHITEBRIDGE PET BRANDS, LLC,
27 and DOES 1-25, inclusive,

28 Defendants.

CASE NO. 16-4009

CLASS ACTION COMPLAINT

**AMOUNT DEMANDED EXCEEDS
\$10,000**

DEMAND FOR JURY TRIAL

CLASS ACTION

CLASS ACTION COMPLAINT

This is a California statewide class action seeking redress for the mislabeling of pet food and pet treats. Defendant Whitebridge Pet Brands, LLC, (“Whitebridge”), labeled its

1 pet treats as “Made in USA,” when in fact certain ingredients are sourced from foreign
2 countries. This is a violation of the California Unfair Competition Law as well as the
3 California Consumer Legal Remedies Act. Plaintiff seeks, on her own behalf as well as on
4 behalf of a statewide class of similarly situated consumers, injunctive relief to stop
5 Defendant’s use of false country-of-origin labels, as well as restitution under the UCL.
6 Plaintiff also seeks injunctive relief under the CLRA. After the requisite thirty-day notice,
7 Plaintiff will amend her complaint to seek actual damages subject to the \$1,000 statutory
8 minimum for class action damages, restitution, punitive damages, and attorney’s fees under
9 the CLRA. In support of this complaint, Plaintiff states as follows:

10 **PARTIES, JURISDICTION, AND VENUE**

11 1. Plaintiff Stephanie Marracco is an adult citizen of California residing in Los
12 Angeles County, which is within this district. Plaintiff purchased Defendant’s products, the
13 marketing of which violates California law, in this district and division, and by ordering
14 them over the internet and having them delivered to her home in this district and division.

15 2. Defendant Whitebridge is a limited liability company formed under and
16 existing pursuant to the laws of the state of Delaware. Defendant’s principal place of
17 business is in Chicago, Illinois.

18 3. Defendant Whitebridge manufactures and sells pet treats under the brand
19 names including Cloud Star, Wag More Bark Less, Dynamo Dog, and Tricky Trainers.

20 4. This Court has diversity jurisdiction over this case under 28 U.S.C. § 1332, as
21 modified by the Class Action Fairness Act of 2005, because Plaintiff and Defendant are
22 citizens of different states, and in this class action the aggregate amount in controversy is
23 greater than \$5,000,000.00 (five million dollars), exclusive of interest and costs.

24 5. Venue is proper in this court because the purchases were made by, and
25 deliveries were made to, the Plaintiff in this district and division.

26 **FACTS RELATING TO THE SPECIFIC PLAINTIFF**

27 6. Plaintiff Stephanie Marracco is a loving pet owner who has fed Defendant’s
28 treats to three dogs. Her relationship with Defendant began with her purchase of

1 Defendant's Cloud Star Buddy Biscuits for her first dog, Hanno, who passed away in 2007.

2 7. Hanno's love of Buddy Biscuits was soon shared by Rocco, currently a 10-
3 year-old poodle mix, and Rex, a five-year-old mixed breed. Ms. Marracco rescued each of
4 these dogs, and, unfortunately, each of them has had significant health and diet problems.
5 For example, Rocco suffers from digestive issues and Rex also has to watch his diet due to
6 a bout with pancreatitis.

7 8. For these reasons, Ms. Marracco has been very picky about the foods and
8 treats she chooses for her dogs. Since at least 2013, she has primarily bought dog treats
9 online, including at retailers DogSupplies.com, Wag.com, Dog.com, Amazon.com,
10 Familyhood.com, and EntirelyPets.com.

11 9. On multiple occasions prior to January 1, 2016, including, but not limited to,
12 online orders in August 2013, December 2013, May 2014, October 2014, January 2015,
13 April 2015, and December 2015, Plaintiff Stephanie Marracco purchased Defendant's treats
14 online. The specific items purchased by Plaintiff included, but are not limited to, the
15 following items.

- 16 - Cloud Star Dynamo Dog Functional Soft Chews Tummy: Pumpkin & Ginger
- 17 - Cloud Star Grain Free Buddy Biscuits
- 18 - Cloud Star Soft & Chewy Grain Free Slow Aged Cheddar Treats (now branded
19 as Wag More Bark Less)
- 20 - Cloud Star Dynamo Dog Functional Soft Chews Skin & Coat: Salmon
- 21 - Cloud Star Chewy Tricky Trainers Cheddar Flavor
- 22 - Cloud Star Wag More Bark Less Soft & Chewy Peanut Butter
- 23 - Cloud Star Oven Baked Buddy Biscuits Smooth Aged Cheddar (now branded as
24 Wag More Bark Less)
- 25 - Wag More Bark Less Oven Baked Grain-Free Pumpkin Flavor

26 10. All of these treats that Plaintiff purchased from Defendant were labeled with
27 the American flag and the words "Made in USA." Plaintiff made these purchases after
28 viewing and relying on the labels stating that they were "Made in USA." Plaintiff chose

1 these products because she is very concerned about the sources of the foods she feeds her
2 pets and the ingredients in those foods.

3 11. Plaintiff desires to purchase Defendant's treats in the future because of the
4 nutritional requirements and dietary restrictions Rocco and Rex face, but cannot do so
5 because of concerns over foreign-sourced ingredients and trust issues based on
6 Defendant's false country-of-origin representations.

7 12. The value of the product received by Plaintiff was less than the value she paid,
8 because the "Made in USA" labeling was untrue.

9 13. All of the treats listed above were made, manufactured, marketed, and/or sold
10 by Defendant Whitebridge or its predecessor in interest.

11 14. The labels on all of Defendant's treats listed in Paragraph 9 stating that they
12 were "Made in USA" were and remain false because the treats contain at least one foreign-
13 sourced ingredient, tapioca starch. Plaintiff believes the treats may contain other foreign-
14 sourced ingredients.

15 **FACTUAL ALLEGATIONS COMMON TO THE STATEWIDE CLASS**

16 15. Defendant manufactures and sells pet food and treats in stores all over the
17 United States, including California. Defendant also markets and sells its pet treats over the
18 internet through numerous online retailers.

19 16. Defendant's pet treats prominently display the American flag and the words
20 "Made in USA."

21 17. These labels stating that Defendant's pet treats are made in the United States
22 are false because Defendant's pet treats contain ingredients that are sourced from foreign
23 countries. Specifically, but without limitation as to other foreign-sourced ingredients, the
24 tapioca starch in defendant's products comes from Non-USA sources.

25 18. Defendant continues to sell pet treats bearing the label "Made in USA."

26 19. The buying public's preference for pet foods and treats that are made
27 exclusively in the United States stems in part from the widely-publicized and widespread
28 recall of pet foods in 2007, when hundreds, and perhaps thousands, of dogs and cats died

1 of kidney failure after eating pet food that contained a toxic chemical called melamine. This
2 ingredient was placed in the pet food at manufacturing facilities in China and was
3 mislabeled as “wheat gluten” or “rice protein.” This increased consumer’s preference for
4 both fully American-made pet food and treats and grain-free pet food and treats.

5 20. For this and other reasons, the buying public generally believes that
6 American-made products are safer to feed their animals than foreign-sourced ingredients.

7 21. The Plaintiff and the Class received products from Defendant that were
8 worth less than what the Plaintiff and the Class paid for the products.

9 22. The Plaintiff and the Class continue to be injured as the Defendant’s products
10 continue to be sold to unwitting customers, and the customers who are aware of the
11 foreign sourced ingredients either cannot purchase the products for fear of potential
12 dangers with foreign sourced ingredients or cannot know which of Defendant’s many
13 products labeled “Made in USA” actually contain foreign ingredients.

14 **CLASS ACTION REQUIREMENTS**

15 23. Plaintiff brings this case on her own behalf, and on behalf of all others
16 similarly situated, pursuant to Rule 23 of the Federal Rules of Civil Procedure. The Class
17 consists of all residents of the state of California who, within the applicable statute of
18 limitations period, bought pet food products from Defendant that were sold with labels
19 bearing “Made in USA.” Excluded from the Class are Plaintiff’s counsel and any employee
20 of the court.

21 24. Pursuant to Rule 23(a)(1), numerosity is satisfied because the members of the
22 Class are so numerous and geographically dispersed that joinder of all Class members is
23 impracticable. There are thousands of members of the Class located in the State of
24 California.

25 25. Common questions of fact and law exist here, satisfying the requirement of
26 Rule 23(a)(2), including but not limited to:

- 27 a. whether Defendant participated in or committed the wrongful conduct
28 alleged herein;

- b. whether Defendant's acts, transactions, or course of conduct constitute the violations of law alleged herein;
- c. whether the members of the Class sustained and/or continue to sustain injury by reason of Defendant's conduct, and, if so, the proper measure and appropriate formula to be applied in determining restitution for such injury; and
- d. whether the members of the Class are entitled to injunctive or other equitable or monetary relief.

26. Plaintiff's claims are typical of the claims of all other members of the Class and involve the same violations of law by Defendant as other Class members' claims. The product purchased by Plaintiff is substantially similar to other products of Defendant purchased by class members with the same "Made in USA" claim made on their label while containing foreign sourced ingredients. Plaintiffs and members of the Class also sustained injury arising out of Defendant's common course of conduct complained of herein. Accordingly, Plaintiff satisfies the "typicality" requirements of Fed. R. Civ. P. 23(a)(3) with respect to the Class.

27. Plaintiff will fairly and adequately protect the interests of the other members of the Class, and have no interests that are antagonistic to those of the Class, pursuant to Rule 23(a)(4). Plaintiff is interested in vigorously prosecuting claims on behalf of the Class, and Plaintiff has retained experienced and competent class action counsel to represent them and the Class.

28. Plaintiff seeks to certify a statewide class pursuant to Rule 23(b)(2) and 23(b)(3).

29. Pursuant to Rule 23(b)(2), Defendant has "acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole."

30. Pursuant to Rule 23(b)(3), questions of law or fact common to class members predominate over any questions affecting only individual members, and a class action is

1 superior to other available methods for fairly and efficiently adjudicating the controversy.
2 Given the relatively small amount of damages suffered by each class member, it is unlikely
3 that any of the class members are interested in individually controlling the prosecution or
4 defense of separate actions. Plaintiff is not aware of any other litigation against Defendant
5 asserting these claims, and doubts any other litigation outside of the class action device will
6 be initiated against Defendant. It is desirable to hear all of these claims in one forum so
7 that the class members can receive a full recovery, which they would not outside of a class
8 action because of the relatively small amount of damages suffered by each class member,
9 such that it would make no economic sense for individual class members to pursue
10 individual claims in different forums. Plaintiff does not anticipate that there will be
11 significant difficulties in managing this class action that are any more serious than other
12 consumer class actions.

13 **CLAIMS FOR RELIEF**

14 **COUNT ONE – CALIFORNIA UNFAIR COMPETITION LAW**

15 31. All preceding paragraphs are incorporated by reference.

16 32. The foregoing fraudulent and unfair conduct violates the California Unfair
17 Competition Law, codified at Business and Professions Code §§ 17200, et seq. (“UCL”).

18 33. Among other provisions, the foregoing conduct violates Business &
19 Professions Code § 17533.7 dealing with “Made in the U.S.A.” product labeling.

20 34. The named Plaintiff and the Class suffered injury as a result of Defendant’s
21 violation of the law because they paid more for the product than its actual value.

22 35. As a result, Plaintiff is entitled to an injunction against continuing violations
23 of the UCL and restitution of monies obtained.

24 **COUNT TWO – CALIFORNIA CONSUMERS LEGAL REMEDIES ACT**

25 36. All preceding paragraphs are incorporated by reference.

26 37. Pursuant to Cal. Civ. Code § 1780(d), Plaintiff is filing an affidavit of proper
27 venue and attaching it to this complaint as Attachment 1.

28 38. The foregoing conduct by Defendant violates the Consumers Legal Remedies

1 Act, codified at California Civil Code §§ 1750, et seq.

2 39. Defendant's pet food and treats are "goods" as defined in Civil Code Section
3 1761(a).

4 40. Plaintiff, and each of the Class members, is a "Consumer" as defined in Civil
5 Code Section 1761(d).

6 41. Each of Plaintiff's and Class members' purchases of Defendant's products
7 constituted a "transaction" as defined in Civil Code Section 1761(e).

8 42. Plaintiff and each class member suffered an injury in fact because they
9 received a product from Defendant that had less value than they paid for it, due to the false
10 labeling.

11 43. Defendant's violations of the Consumer's Legal Remedies Act set forth herein
12 were done with awareness of the fact that the conduct alleged was wrongful and were
13 motivated solely for increased profit. Defendant did these acts knowing the harm that
14 would result to Plaintiff and similarly situated persons, and Defendant continues to commit
15 these acts notwithstanding that knowledge.

16 **PRAYER FOR RELIEF**

17 Based on the foregoing, Plaintiff prays for the following relief:

18 A. An order certifying this as a California statewide class action pursuant to Rule
19 23 of the Federal Rules of Civil Procedure;

20 B. An order appointing Plaintiff's counsel as Class Counsel to represent the
21 interests of the Class;

22 C. After trial, an injunction ordering Defendant to stop its violations of
23 California law as alleged herein;

24 D. An award of monetary relief for the Class in the amount by which Defendant
25 has been unjustly enriched by its illegal conduct as alleged herein;

26 E. An award of costs, including reasonable attorneys' fees;

27 F. Pre and post judgment interest in the highest amount permitted by law; and

28 ///

1 G. Such further or different relief as the Court may deem appropriate.

2
3 Dated: June 7, 2016

Respectfully submitted,
RAINS LUCIA STERN, PC

4
5 /s/ Eustace de Saint Phalle
6 By: Eustace de Saint Phalle
7 Attorneys for Plaintiff STEPHANIE
8 MARRACCO
9

10 **DEMAND FOR JURY TRIAL**

11 As to the matters complained of herein against Defendants WHITEBRIDGE PET
12 BRANDS, LLC and DOES 1-25, and each of them, Plaintiff STEPHANIE MARRACCO
13 demands a trial by jury.
14

15 Dated: June 7, 2016

Respectfully submitted,
RAINS LUCIA STERN, PC

16
17 /s/ Eustace de Saint Phalle
18 By: Eustace de Saint Phalle
19 Attorney for Plaintiff STEPHANIE
20 MARRACCO
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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) **DEFENDANTS** (Check box if you are representing yourself)

STEPHANIE MARRACCO, on behalf of herself and all others similarly situated WHITEBRIDGE PET BRANDS, LLC, and DOES 1-25, inclusive

(b) County of Residence of First Listed Plaintiff Los Angeles County of Residence of First Listed Defendant _____
(EXCEPT IN U.S. PLAINTIFF CASES) (IN U.S. PLAINTIFF CASES ONLY)

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

Eustace de Saint Phalle
RAINS LUCIA STERN, PC
220 Montgomery Street, 15th Floor, San Francisco, CA 94104
415-341-9341

II. BASIS OF JURISDICTION (Place an X in one box only.)

1. U.S. Government Plaintiff 3. Federal Question (U.S. Government Not a Party)

2. U.S. Government Defendant 4. Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES-For Diversity Cases Only
(Place an X in one box for plaintiff and one for defendant)

Citizen of This State	<input checked="" type="checkbox"/> PTF 1	<input type="checkbox"/> DEF 1	Incorporated or Principal Place of Business in this State	<input type="checkbox"/> PTF 4	<input type="checkbox"/> DEF 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:** \$ _____

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 Business and Professions Code §§ 17200, et seq. and California Civil Code §§ 1750, et seq. Mislabeling of Pet Food that was not "Made in the USA"

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 checked="" 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"/> 160 Stockholders' Suits	<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"/> 153 Recovery of Overpayment of Vet. Benefits	<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"/> 160 Stockholders' Suits	<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"/> 190 Other Contract	<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"/> 195 Contract Product Liability	<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	<input type="checkbox"/> 196 Franchise	<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	REAL PROPERTY	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	LABOR	
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 210 Land Condemnation	<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"/> 220 Foreclosure	<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"/> 230 Rent Lease & Ejectment	<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"/> 368 Asbestos 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 align="center">STATE CASE WAS PENDING IN THE COUNTY OF:</p> <input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino	<p align="center">INITIAL DIVISION IN CACD IS:</p> Western Southern Eastern
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<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>
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<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>
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QUESTION D: Location of plaintiffs and defendants?	A. Orange County	B. Riverside or San Bernardino County	C. Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<p>D.1. Is there at least one answer in Column A? <input type="checkbox"/> Yes <input checked="" 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>
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QUESTION E: Initial Division?	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, C, or D above: →	WESTERN DIVISION

QUESTION F: Northern Counties?

Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? Yes No

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 civil or criminal case(s) previously filed **in this court**? NO YES

If yes, list case number(s): _____

Civil cases are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, 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.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

A civil forfeiture case and a criminal case are related when they (check all that apply):

- A. Arise from the same or a closely related transaction, happening, or event;
- B. Call for determination of the same or substantially related or similar questions of law and fact; or
- C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

X. SIGNATURE OF ATTORNEY

(OR SELF-REPRESENTED LITIGANT): /s/ Eustace de Saint Phalle

DATE: June 7, 2016

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))