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10 *Attorneys for Plaintiff and the Putative Class*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

14 Kevin Kohn, individually, and on behalf )  
15 of all others similarly situated, )

16 Plaintiff, )

17 vs. )

18 )  
19 )  
20 eHarmony, Inc., and DOES 1 through 10, )  
21 inclusive, )

22 Defendants. )

Case No. \_\_\_\_\_  
**CLASS ACTION**  
**COMPLAINT**  
**DEMAND FOR JURY TRIAL**

23 **PRELIMINARY STATEMENT**

24 Now comes Plaintiff Kevin Kohn (“Plaintiff”), on behalf of himself and all  
25 others similarly situated, through counsel, and pursuant to 740 ILCS 14/ and Fed. R.  
26 Civ. P. 23, against Defendant eHarmony, Inc. (“eHarmony” or “Defendant”), and  
27  
28

1 DOES 1 through 10 (collectively, “Defendants”), to redress and curtail Defendants’  
2 unlawful collections, obtainments, use, storage, and disclosure of Plaintiff’s sensitive  
3 and proprietary biometric identifiers and/or biometric information (collectively  
4 referred to herein as “biometric data” and/or “biometrics”). Plaintiff alleges as follows  
5 upon personal knowledge as to himself, his own acts, and experiences and, as to all  
6 other matters, upon information and belief including investigation conducted by his  
7 attorneys.  
8  
9

### 10 **NATURE OF THE ACTION**

11 1. eHarmony is an internet-based dating and social networking service and  
12 application.  
13

14 2. Plaintiff opened an eHarmony account in 2020.

15 3. eHarmony requests all its users, including Plaintiff, to verify their  
16 identities by uploading a real time portrait of their face, i.e., a “selfie.”  
17

18 4. eHarmony then scans the “selfie” photographs, creates a biometric  
19 template of the users’ face, and compares the users’ facial biometrics to the  
20 photographs which the users are posting in their online dating profile to verify the  
21 identity of all eHarmony users.  
22

23 5. eHarmony collects, stores, possesses, otherwise obtains, uses, and  
24 disseminates its users' biometric data to, amongst other things, further enhance  
25 eHarmony and its online dating platform.  
26  
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1           6. Facial geometry scans are unique, permanent biometric identifiers  
2 associated with each user that cannot be changed or replaced if stolen or compromised.  
3 eHarmony's unlawful collection, obtainment, storage, and use of its users' biometric  
4 data exposes them to serious and irreversible privacy risks. For example, if eHarmony  
5 or its third-party affiliates, database containing facial geometry scans or other  
6 sensitive, proprietary biometric data is hacked, breached, or otherwise exposed,  
7 eHarmony users have no means by which to prevent identity theft, unauthorized  
8 tracking or other unlawful or improper use of this highly personal and private  
9 information.  
10  
11

12           7. The Illinois legislature enacted BIPA to protect residents' privacy  
13 interests in their biometric data. *See Heard v. Becton, Dickinson & Co.*, 440 F. Supp.  
14 3d 960, 963 (N.D. Ill. 2020), citing *Rosenbach v. Six Flags Entm't Corp.*, 2019 IL  
15 123186, 432 Ill. Dec. 654, 129 N.E.3d 1197, 1199 (2019).  
16  
17

18           8. Courts analogize an individual's privacy interest in their unique  
19 biometric data to their interest in protecting their private domain from invasion, such  
20 as from trespass. *See Bryant v. Compass Group USA, Inc.*, 958 F.3d 617, 624 (7th  
21 Cir. 2020), as amended on denial of reh'g and reh'g *en banc*, (June 30, 2020) and  
22 opinion amended on denial of reh'g *en banc*, 2020 U.S. App. LEXIS 20468, 2020 WL  
23 6534581 (7th Cir. 2020).  
24  
25

26           9. In recognition of these concerns over the security of individuals'  
27 biometrics, the Illinois Legislature enacted the BIPA, which provides, *inter alia*, that  
28

1 a private entity like eHarmony may not obtain and/or possess an individual's  
2 biometrics unless it: (1) informs that person in writing that biometric identifiers or  
3 information will be collected or stored; (2) informs that person in writing of the  
4 specific purpose and length of term for which such biometric identifiers or biometric  
5 information is being collected, stored and used; (3) receives a written release from the  
6 person for the collection of his or her biometric identifiers or information; and (4)  
7 publishes publicly-available written retention schedules and guidelines for  
8 permanently destroying biometric identifiers and biometric information. 740 ILCS  
9 14/15(a)-(b).

10  
11  
12  
13 10. The Illinois Legislature has found that “[b]iometrics are unlike other  
14 unique identifiers that are used to access finances or other sensitive information.” 740  
15 ILCS 14/5(c). “For example, social security numbers, when compromised, can be  
16 changed. Biometrics, however, are biologically unique to the individual; therefore,  
17 once compromised, the individual has no recourse, is at heightened risk for identity  
18 theft, and is likely to withdraw from biometric-facilitated transactions.” *Id.*

19  
20  
21 11. Specifically, upon information and belief, eHarmony has created,  
22 collected, disseminated, and stored thousands of “face templates” (highly detailed  
23 geometric maps of the face) from countless Illinois residents whose selfies were  
24 collected by eHarmony.

25  
26 12. Each face template that eHarmony extracts is unique to a particular  
27 individual in the same way that a fingerprint or voiceprint identifies an individual.  
28

1 13. eHarmony is a “private entity” as that term is broadly defined by BIPA  
2 and is subject to all requirements of BIPA. *See* 740 ILCS § 14/10.

3 14. Plaintiff is informed and believes, and based thereon alleges, that at all  
4 relevant times mentioned herein, Defendants acted as agents, employees, supervisors,  
5 partners, conspirators, servants and/or joint venturers of each other, and in doing the  
6 acts hereafter alleged, were acting within the course, scope, and authority of such  
7 agency, employment, partnership, conspiracy, enterprise and/or joint venture, and  
8 with the express and/or implied permission, knowledge, consent, authorization and  
9 ratification of their co-defendants.  
10  
11

12  
13 **JURISDICTION AND VENUE**

14 15. This is a Class Action Complaint for violations of the Illinois Biometric  
15 Information Privacy Act (740 ILCS 14/1 *et seq.*) brought pursuant to Fed. R. Civ. P.  
16 23 seeking statutory and actual damages.  
17

18 16. Venue is proper in this Court because a substantial amount of the acts  
19 and omissions giving rise to this action occurred within this judicial district.  
20

21 17. This Court has jurisdiction over this dispute pursuant to 28 U.S.C. § 1332  
22 because eHarmony has done a substantial amount of business within this judicial  
23 district and the amount in controversy exceeds \$75,000.  
24

25 18. This Court has jurisdiction over this dispute pursuant to the Class Action  
26 Fairness Act (“CAFA”) because the prospective class includes over 100 people and  
27 the amount in controversy exceeds \$5,000,000.  
28

1           19. At all relevant times, Plaintiff and the proposed Class are residents of the  
2 state of Illinois and the violations of BIPA as detailed herein occurred while Plaintiff  
3 and members of the proposed Class were in the state of Illinois.

4           20. At all relevant times, eHarmony is a Delaware corporation with its  
5 principal place of business located at 10900 Wilshire Boulevard, 17th Floor, Los  
6 Angeles, CA 90024.  
7

8  
9                           **FACTUAL ALLEGATIONS COMMON TO ALL CLAIMS**

10           21. Plaintiff realleges and incorporates by reference all allegations in all  
11 preceding paragraphs.

12           22. Plaintiff opened an eHarmony account in 2020.

13           23. As part of signing up, and/or gaining access to his eHarmony account,  
14 Plaintiff was required to upload a real time portrait of his face.  
15

16           24. eHarmony then scanned Plaintiff's verification photographs, creating a  
17 biometric template of Plaintiff's face and biometric identifiers, and compared  
18 Plaintiff's biometric identifiers to the photographs which Plaintiff posted on his  
19 eHarmony profile in order to verify Plaintiff's identity.  
20

21           25. In other words, eHarmony collected and retained biometric information  
22 for the purpose of verifying Plaintiff's identity.  
23

24           26. At all relevant times, eHarmony had no written policy, made available  
25 to the public, establishing a retention schedule and guidelines for permanently  
26 destroying biometric information when the initial purpose for collecting or obtaining  
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1 such biometric information has been satisfied or within 3 years of the individual's last  
2 interaction with eHarmony, whichever occurs first.

3 27. Ostensibly, the purpose of eHarmony's collection of Plaintiff's facial  
4 geometry was to verify Plaintiff's identity.

6 28. As such, Plaintiff's facial geometry should have been permanently  
7 destroyed by Defendants following the verification of Plaintiff's identity.

9 29. However, eHarmony failed to permanently destroy Plaintiff's facial  
10 geometry following the verification of Plaintiff's identity and instead retained  
11 Plaintiff's biometric information.

13 30. As such, eHarmony's retention of Plaintiff's biometric information was  
14 unlawful and in violation of 740 ILCS § 14/15(a).

16 31. eHarmony did not inform Plaintiff in writing that it was collecting or  
17 storing his biometric information.

18 32. Instead, eHarmony simply instructed Plaintiff to upload his "selfie"  
19 photograph as part of the overall account verification process.

21 33. In fact, eHarmony made no mention of biometric information, collection  
22 of biometric information, or storage of biometric information.

24 34. Moreover, eHarmony did not inform Plaintiff in writing of the specific  
25 purpose and length of term for which his biometric information was being collected,  
26 stored, and used.

1           35. eHarmony collected, stored, and used Plaintiff’s biometric information  
2 without ever receiving a written release executed by Plaintiff in which he consented  
3 to or authorized Defendants to do the same.

4           36. Additionally, eHarmony disclosed, redisclosed, or otherwise  
5 disseminated Plaintiff’s biometric information (1) without Plaintiff’s consent; (2)  
6 without Plaintiff’s authorization to complete a financial transaction requested or  
7 authorized by Plaintiff; (3) without being required by State or federal law or municipal  
8 ordinance; or (4) without being required pursuant to a valid warrant or subpoena  
9 issued by a court of competent jurisdiction.  
10

11           37. Upon information and belief, eHarmony disclosed, redisclosed, or  
12 otherwise disseminated Plaintiff’s biometric information to numerous third-party  
13 service providers for eHarmony’s business purposes including, but not limited to,  
14 third-party providers that provide business services, to eHarmony’s third-party  
15 service providers that provide professional services to eHarmony, and third-party  
16 service providers that provide technical support functions to eHarmony.  
17

18           38. eHarmony’s collection and retention of biometric information as  
19 described herein is not unique to Plaintiff and is instead part of eHarmony’s policies  
20 and procedures which eHarmony applies to all its users, including the Class Members.  
21

22                           **RULE 23 CLASS DEFINITION AND ALLEGATIONS**

23           39. Plaintiff realleges and incorporates by reference all allegations in all  
24 preceding paragraphs.  
25  
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1           40. Plaintiff brings Claims for Relief in violation of BIPA as a class action  
2 under Rule 23(a), (b)(2) and (b)(3). Plaintiff brings these claims on behalf of himself  
3 and all members of the following Rule 23 Class:  
4

5           **All Illinois residents, who had their biometric information collected**  
6 **by eHarmony, at any point in the five (5) years preceding the filing**  
7 **of this Complaint (the “Class Members”).**

8           41. In the alternative, and for the convenience of this Court and the parties,  
9 Plaintiff may seek to certify other subclasses at the time the motion for class  
10 certification is filed.

11           42. **Numerosity (Rule 23(a)(1)).** The Class Members are so numerous that  
12 joinder of all members is impracticable. Plaintiff is informed and believes that there  
13 are more than 1,000 people who satisfy the definition of the Class.  
14

15           43. **Existence of Common Questions of Law and Fact (Rule 23(a)(2)).**  
16 Common questions of law and fact exist as to Plaintiff and the Class Members  
17 including, but not limited to, the following:  
18

19           a. Whether eHarmony possessed Plaintiff’s and the Class Members’  
20 biometric identifiers or biometric information without first developing a written  
21 policy, made available to the public, establishing a retention schedule and guidelines  
22 for permanently destroying biometric identifiers and biometric information when the  
23 initial purpose for collecting or obtaining such identifiers or information has been  
24 satisfied or within 3 years of the individual's last interaction with eHarmony,  
25 whichever occurs first.  
26  
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1           b. Whether eHarmony collected, captured, purchased, received through  
2 trade, or otherwise obtained Plaintiff’s and the Class Members’ biometric identifiers  
3 or biometric information, without first: (1) informing Plaintiff and the Class Members  
4 in writing that a biometric identifier or biometric information is being collected or  
5 stored; (2) informing Plaintiff and the Class Members in writing of the specific  
6 purpose and length of term for which their biometric identifiers or biometric  
7 information was being collected, stored, and used; and (3) receiving a written release  
8 executed by Plaintiff and the Class Members  
9  
10

11           c. Whether eHarmony disclosed, redisclosed, or otherwise disseminated  
12 Plaintiff’s and the Class Members’ biometric identifiers or biometric information (1)  
13 without Plaintiff’s and the Class Members’ consent; (2) without Plaintiff’s and the  
14 Class Members’ authorization to complete a financial transaction requested or  
15 authorized by Plaintiff and the Class Members; (3) without being required by State or  
16 federal law or municipal ordinance; or (4) without being required pursuant to a valid  
17 warrant or subpoena issued by a court of competent jurisdiction.  
18  
19  
20

21           d. The damages sustained and the proper monetary amounts recoverable by  
22 Plaintiff and the Class Members.  
23

24           44. **Typicality (Rule 23(a)(3)).** Plaintiff’s claims are typical of the Class  
25 Members’ claims. Plaintiff, like the Class Members, had his biometric identifiers and  
26 biometric information collected, retained or otherwise possessed by eHarmony  
27 without eHarmony’s adherence to the requirements of BIPA as detailed herein.  
28

1           45.    **Adequacy (Rule 23(a)(4)).** Plaintiff will fairly and adequately represent  
2 and protect the interests of the Class Members. Plaintiff has retained counsel  
3 competent and experienced in complex class actions.  
4

5           46.    **Injunctive and Declaratory Relief (Rule 23(b)(2)).** Class certification  
6 of the Rule 23 claims is appropriate under Rule 23(b)(2) because eHarmony acted or  
7 refused to act on grounds generally applicable to the Class Members, making  
8 appropriate declaratory relief with respect to the Class Members as a whole.  
9

10          47.    **Predominance and Superiority of Class Action (Rule 23(b)(3)).** Class  
11 certification of the Rule 23 claims is also appropriate under Rule 23(b)(3) because  
12 questions of law and fact common to the Class Members predominate over questions  
13 affecting only individual members of the Class, and because a class action is superior  
14 to other available methods for the fair and efficient adjudication of this litigation.  
15 eHarmony's common and uniform policies and practices illegally deprived Plaintiff  
16 and the Class Members of the privacy protections which BIPA seeks to ensure; thus,  
17 making the question of liability and damages much more manageable and efficient to  
18 resolve in a class action, compared to hundreds of individual trials. The damages  
19 suffered by individual Class Members are small compared to the expense and burden  
20 of individual prosecution. In addition, class certification is superior because it will  
21 obviate the need for unduly duplicative litigation that might result in inconsistent  
22 judgments about eHarmony's practices.  
23  
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1 48. Plaintiff intends to send notice to all Class Members to the extent  
2 required by Fed. R. Civ. P. 23.

3 **COUNT ONE: VIOLATION OF 740 ILCS § 14/15(a)**

4 **(Brought by Plaintiff, on behalf of himself and the Class Members, against all**  
5 **Defendants)**

6  
7 49. Plaintiff realleges and incorporates by reference all allegations in all  
8 preceding paragraphs.

9  
10 50. A private entity in possession of biometric identifiers or biometric  
11 information must develop a written policy, made available to the public, establishing  
12 a retention schedule and guidelines for permanently destroying biometric identifiers  
13 and biometric information when the initial purpose for collecting or obtaining such  
14 identifiers or information has been satisfied or within 3 years of the individual's last  
15 interaction with the private entity, whichever occurs first. Absent a valid warrant or  
16 subpoena issued by a court of competent jurisdiction, a private entity in possession of  
17 biometric identifiers or biometric information must comply with its established  
18 retention schedule and destruction guidelines. 740 ILCS § 14/15(a).

19  
20  
21  
22 51. Defendants collected Plaintiff's and the Class Members' facial geometry  
23 scans and created biometric templates of the Plaintiff's and the Class Members' faces  
24 which qualifies as biometric information as defined by BIPA.

25  
26 52. At all relevant times, Defendants had no written policy, made available  
27 to the public, establishing a retention schedule and guidelines for permanently  
28

1 destroying biometric information when the initial purpose for collecting or obtaining  
2 such biometric information has been satisfied or within 3 years of the individual's last  
3 interaction with Defendant, whichever occurs first.

4  
5 53. Ostensibly, the purpose of Defendants' collection of Plaintiff's and the  
6 Class Members' facial geometry was to verify Plaintiff's and the Class Members'  
7 identities prior to opening an eHarmony account in their names and the purpose of  
8 Defendants' collection of Plaintiff's and the Class Members' geometric facial scans  
9 was to verify Plaintiff's and the Class Members' identities when they logged into the  
10 eHarmony mobile app.  
11

12  
13 54. As such, Plaintiff's and the Class Members' facial geometry scans  
14 should have been permanently destroyed by Defendants following the verification of  
15 their identities.  
16

17 55. However, Defendants failed to permanently destroy Plaintiff's and the  
18 Class Members' biometric information following the verification of their identities  
19 and instead retained Plaintiff's and the Class Members' biometric information.  
20

21 56. As such, Defendants' retention of Plaintiff's and the Class Members'  
22 biometric information was unlawful and in violation of 740 ILCS § 14/15(a).  
23

24 **COUNT TWO: VIOLATION OF 740 ILCS § 14/15(b)**

25 **(Brought by Plaintiff, on behalf of himself and the Class Members, against all**  
26 **Defendants)**  
27  
28

1           57. Plaintiff realleges and incorporates by reference all allegations in all  
2 preceding paragraphs.

3           58. No private entity may collect, capture, purchase, receive through trade,  
4 or otherwise obtain a person's or a customer's biometric identifier or biometric  
5 information, unless it first:  
6

7           (1) informs the subject or the subject's legally authorized representative  
8 in writing that a biometric identifier or biometric information is being  
9 collected or stored;

10           (2) informs the subject or the subject's legally authorized representative  
11 in writing of the specific purpose and length of term for which a  
12 biometric identifier or biometric information is being collected, stored,  
13 and used; and

14           (3) receives a written release executed by the subject of the biometric  
15 identifier or biometric information or the subject's legally authorized  
16 representative. 740 ILCS § 14/15(b).

17           59. Defendants did not inform Plaintiff and the Class Members in writing  
18 that Defendants were collecting or storing their biometric information.

19           60. Instead, Defendants simply instructed Plaintiff and the Class Members  
20 to upload their “selfies” as part of the overall account verification process.

21           61. In fact, Defendants made no mention of biometric information,  
22 collection of biometric information, or storage of biometric information.  
23

24           62. Moreover, Defendants did not inform Plaintiff and the Class Members  
25 in writing of the specific purpose and length of term for which their biometric  
26 information was being collected, stored, and used.  
27  
28





1 appropriate.

2 **DEMAND FOR JURY TRIAL**

3 Plaintiff and the Class Members hereby demand a jury trial on all causes of  
4 action and claims with respect to which they each have a state and/or federal  
5 constitutional right to a jury trial.  
6

7 Dated: January 22, 2024

8 Respectfully submitted,

9 s/Leah M. Beligan

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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 )

Kevin Kohn, individually, and on behalf of all others similarly situated,

DEFENDANTS ( Check box if you are representing yourself )

eHarmony, Inc., and DOES 1 through 10, inclusive,

(b) County of Residence of First Listed Plaintiff Cook

(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Los Angeles

(IN U.S. PLAINTIFF CASES ONLY)

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

Leah M. Beligan, Esq. Beligan Law Group, LLP 19800 MacArthur Blvd., Suite 300 Newport Beach, CA 92612 (949) 224-3881 (SEE ATTACHMENT)

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

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
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business in this State
Incorporated and Principal Place of Business in Another State
Foreign Nation

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

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 (at least)

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.)

violation of 740 ILCS 14/1 et seq

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

Table with 6 columns: OTHER STATUTES, CONTRACT, REAL PROPERTY CONT., IMMIGRATION, PRISONER PETITIONS, PROPERTY RIGHTS. Includes sub-sections like TORTS, BANKRUPTCY, CIVIL RIGHTS, LABOR, SOCIAL SECURITY, FEDERAL TAX SUITS.

FOR OFFICE USE ONLY:

Case Number:

**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.

<b>QUESTION A: Was this case removed from state court?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  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.	STATE CASE WAS PENDING IN THE COUNTY OF: <input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo <input type="checkbox"/> Orange <input type="checkbox"/> Riverside or San Bernardino	INITIAL DIVISION IN CACD IS: Western Southern Eastern
--	---	--

<b>QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," skip to Question C. If "yes," answer Question B.1, at right.	<b>B.1.</b> Do 50% or more of the defendants who reside in the district reside in Orange Co.?  check one of the boxes to the right →	<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.  <input type="checkbox"/> NO. Continue to Question B.2.
<b>B.2.</b> 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.)  check one of the boxes to the right →	<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.  <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.	

<b>QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  If "no," skip to Question D. If "yes," answer Question C.1, at right.	<b>C.1.</b> Do 50% or more of the plaintiffs who reside in the district reside in Orange Co.?  check one of the boxes to the right →	<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.  <input type="checkbox"/> NO. Continue to Question C.2.
<b>C.2.</b> 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.)  check one of the boxes to the right →	<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.  <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.	

<b>QUESTION D: Location of plaintiffs and defendants?</b>	<b>A.</b> Orange County	<b>B.</b> Riverside or San Bernardino County	<b>C.</b> 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 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 checked="" type="checkbox"/>

<b>D.1. Is there at least one answer in Column A?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  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. →	<b>D.2. Is there at least one answer in Column B?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  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. ↓
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<b>QUESTION E: Initial Division?</b>	INITIAL DIVISION IN CACD
Enter the initial division determined by Question A, B, C, or D above: →	WESTERN

<b>QUESTION F: Northern Counties?</b>
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

**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/ Leah M. Beligan DATE:  1/22/2024

**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))

ATTACHMENT

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