

REESE LLP

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Counsel for Plaintiff and the Proposed Class

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

JANET ROSS, individually and on behalf
of all other similarly situated,

Plaintiffs,

v.

Ken's Foods, LLC

Defendant.

Case No. 26-cv-5538

CLASS ACTION COMPLAINT

JURY DEMANDED

Plaintiff Janet Ross (“Plaintiff”) by her undersigned attorneys alleges upon information and belief, except for allegations pertaining to Plaintiff, which are based on personal knowledge, brings the following complaint against Ken’s Foods, LLC (“Defendant”):

INTRODUCTION

1. This case is about the deceptive package labeling of RAY’S NO SUGAR ADDED barbeque and dipping sauces (“Product” and “Products”).

2. The Products are sold in many major retail locations located in New York. The package labeling looks like – or substantially like – this:



3. In contradiction to the Products' labeling, advertising and name, every single serving is sweetened by adding sugar to the Products.

4. Specifically, during the processing of this product the sugar "allulose" is added as a sweetener.

5. This is a straightforward case. Defendant has sold these Products to unsuspecting consumers by telling them that "no sugar" has been added to the product, when in reality Defendant adds sugar to every single container.

6. Selling consumers a food product that is intentionally mislabeled and intended to deceive them violates the consumer protection laws of New York.

7. This complaint seeks relief for Plaintiff and the other Class members and asserts causes of action for violations of the consumer protection laws of New York.

PARTIES

8. Plaintiff resides in St. James, New York. During the Class Period, Plaintiff purchased RAY'S NO SUGAR ADDED barbecue sauce at a retail grocery store in Hauppauge, New York. Before purchasing the product, Plaintiff saw and relied upon the prominent "No Sugar Added" representation on its front label in deciding to purchase the product. Plaintiff reasonably understood that representation to mean that Defendant had not added a sugar ingredient to the product during manufacturing or processing. That characteristic was material to Plaintiff's purchasing decision. Had the product been truthfully represented as containing sugar added as a sweetener, Plaintiff would have valued the product less and would not have paid the price Defendant charged for it.

9. Defendant is responsible for the manufacture, packaging, marketing and sale of the Products. Defendant is headquartered Marlborough, Massachusetts. Upon information and belief, Ken's Foods, LLC is the only member of the LLC.

10. **JURISDICTION AND VENUE**

11. The Court has subject matter jurisdiction over the case pursuant to the Class Action Fairness Act, 28 U.S.C. §1332, because the case is brought as a class action under Fed. R. Civ. P. 23.

12. At least one proposed class member is of diverse citizenship from Defendant.

13. The proposed class and each proposed state specific subclass includes more than 100 members, and the aggregate amount in controversy exceeds five million dollars, excluding interest and costs.

14. Venue is proper in this District under 28 U.S.C. § 1391 because Defendant engaged in substantial conduct relevant to Plaintiff's claims within this District and has caused harm to Class members residing within this District.

ALLEGATIONS OF FACT

A. Defendant Has Deceptively Marketed and Labeled RAY'S NO SUGAR ADDED Products

15. As set forth in more detail below, Defendant has engaged in a scheme to deceive consumers by selling them the Products purportedly made with "no sugar added" while actually adding the sugar allulose as a sweetener.

16. This deception was carried out intentionally in a bid to enrich Defendant and its owners.

17. And it largely worked; consumers have been deceived into purchasing RAY'S NO SUGAR ADDED sauces based on the reasonable belief that "no sugar" was "added" in the

processing and manufacturing of the product. These consumers reasonably relied on Defendant's deceptive product labels and statements, and suffered damage because they were cheated out of the benefit of the bargain they believed they were making when purchasing the product.

18. RAY'S NO SUGAR ADDED sauces are prominently labeled with statements claiming that it has "No Sugar Added."

19. This is all a complete deception. In fact, RAY'S NO SUGAR ADDED is sweetened by adding allulose to the product.

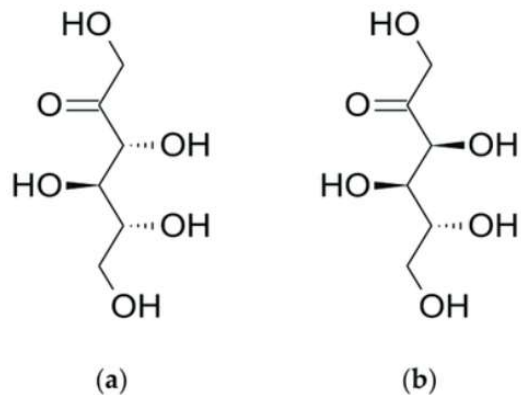
20. Allulose is a sugar.

21. It is a naturally occurring sugar that occurs in certain fruits and vegetables. However, those food items must go through substantial commercial processing in order to become the allulose Defendant adds to the product.

22. Chemically, allulose is a monosaccharide epimer of fructose.

23. Allulose and fructose are both sugar carbohydrates that differ in the position of a single carbon atom. To illustrate, here is a diagram laying out the general chemical composition of allulose and fructose: ¹

¹ Han-Joo Maeng et al., 8 MDPI Journal 448, Foods, *Metabolic Stability of D-Allulose in Biorelevant Media and Hepatocytes: Comparison with Fructose and Erythritol*, October 1, 2019, https://www.researchgate.net/figure/Chemical-structures-of-a-D-allulose-b-D-fructose-c-D-glucose-and-d-erythritol_fig4_336222515



Chemical structures of (a) D-allulose, (b) D-fructose

24. As a monosaccharide, it falls squarely within the Food and Drug Administration (“FDA”)’s codified definition of sugar. 21 C.F.R. 101.9(c)(6)(ii)

25. The FDA has confirmed in amicus briefing that Allulose meets the regulatory definition of “Total Sugars” set forth in 21 C.F.R. 101.9(c)(6)(ii).

26. The 7th Circuit has also confirmed that, as a matter of law, that “Allulose is a sugar under” 21 C.F.R. 101.9(c)(6)(ii). *Franco v. Chobani, LLC*, No. 25-2087, 2026 WL 2150193, at *1 (7th Cir. July 27, 2026).

B. Federal Law Expressly Prohibits Defendant’s “No Sugar Added” Representation

27. Federal law separately regulates claims concerning whether sugar has been added to a food. The FDA permits a manufacturer to label a product “No Sugar Added” only if the conditions set forth in 21 C.F.R. § 101.60(c)(2) are satisfied.

28. The regulation governing “No Sugar Added” claims expressly incorporates the definition of sugars contained in § 101.9(c)(6)(ii). Under 21 C.F.R. § 101.60(c)(2)(i), the term “no sugar added” may be used only if “[n]o amount of sugars, as defined in § 101.9(c)(6)(ii), or

any other ingredient that contains sugars that functionally substitute for added sugars is added during processing or packaging.”

29. Defendant’s Products do not satisfy this requirement. Defendant adds allulose during the processing of the Products; allulose is a sugar within § 101.9(c)(6)(ii); and Defendant nevertheless prominently labels the finished product “No Sugar Added.”

30. Thus, Defendant’s “No Sugar Added” representation is not merely misleading to a reasonable consumer. It directly contradicts the federal regulation governing that precise labeling claim.

C. Defendant’s Deceptive Marketing and Labeling Violate The Law

31. Misleading people about what they are buying and putting into their bodies is wrong. When it is done by a nationwide food manufacturer who is intentionally deceiving consumers across the country, it violates New York’s consumer protection statutes.

32. New York has enacted statutory protections to prevent and punish the sort of deceptive trade practices in which Defendant has engaged.

33. Defendant’s “No Sugar Added” representation was likely to deceive a reasonable consumer. “No Sugar Added” does not mean that the finished product necessarily contains no naturally occurring sugar. It represents something different: that sugar was not added to the product during its manufacture or processing. Defendant’s product did not possess that represented characteristic because Defendant intentionally added allulose—a sugar—as a sweetener.

34. Plaintiffs and the other Class members saw and relied upon Defendant’s prominent “No Sugar Added” representation prominently displayed on the front of the packaging. They reasonably understood the representation to mean that, although some ingredients in the finished

Products might naturally contain sugar, Defendant had not added a sugar ingredient to the product during manufacturing or processing.

35. In direct contradiction to consumers' expectations, however, Defendant knew that: (a) it intentionally added allulose to the product as a sweetener; (b) allulose is a sugar; (c) the representation "No Sugar Added" communicated that Defendant had not added a sugar ingredient during manufacture or processing; (d) reasonable consumers would rely upon that representation in making purchasing decisions; and (e) the "No Sugar Added" representation increased consumer demand for, and the market value of, the Products.

36. Plaintiff paid for a product possessing a particular, marketed attribute—that no sugar had been added during manufacture—but received a product that did not possess that attribute. The "No Sugar Added" representation increased the perceived and market value of the product and allowed Defendant to sell it at a price greater than the product would command if truthfully labeled as containing sugar added as a sweetener. Plaintiffs therefore paid a price premium attributable to Defendant's false "No Sugar Added" representation and were deprived of the benefit of their bargain.

CLASS ALLEGATIONS

37. Plaintiff brings this case as a class action pursuant to Fed. R. Civ. P. 23 on behalf of the following class:

All persons who purchased any of the Products in the State of New York at any time from September 9, 2023 to the date of judgment (hereafter, "Class")

Excluded from the Class are: (i) Defendant and its officers and directors, agents, affiliates, subsidiaries, and authorized distributors and dealers; (ii) all class/subclass members that timely and validly request exclusion, and (iii) the Judge presiding over this action.

38. Certification of Plaintiff's claims for classwide treatment is appropriate because Plaintiff can prove the elements of the claims on a classwide basis using the same evidence as would be used to prove those elements in individual actions alleging the same claims.

39. The members of the classes are so numerous and geographically dispersed that joinder of all members is impracticable. On information and belief, there are tens of thousands if not hundreds of thousands of class members. This is because, in part, Defendant distributes its Products in many major retail locations.

40. There are numerous and substantial questions of law or fact common to all of the members of each subclass which predominate over any individual issues. Included within the common questions of law or fact include, *inter alia*:

- (a) Whether Defendant engaged in the conduct alleged;
- (b) Whether Defendant misrepresented the contents, traits or ingredients of RAY'S NO SUGAR ADDED;
- (c) Whether Defendant's claims are false, deceptive, and likely to mislead a reasonable person;
- (d) Whether Defendant's acts constitute deceptive, unfair and fraudulent business acts and practices;
- (e) Whether Plaintiff and the other class members were deprived the benefit of the bargain;
- (f) Whether Defendant unjustly retained a benefit conferred by Plaintiff and the other class members;

41. The questions set forth above predominate over any questions affecting only individual persons, and a class action is superior with respect to considerations of consistency,

economy, efficiency and fairness and equity than other available methods for the fair and efficient adjudication of this controversy.

42. The claims of Plaintiff are typical of the claims of class members, in that they share the above-referenced facts and legal claims or questions with class members, and there is a substantially uniform relationship between the damage to Plaintiff and Defendant's conduct affecting each class member.

43. Plaintiff is an adequate Class representative because Plaintiff has no interests adverse to the interests of other class members.

44. Plaintiff will fairly and adequately represent and protect the interests of each class member. Plaintiff has retained competent and experienced counsel.

45. A class action is superior to other methods for the fair and efficient adjudication of this controversy, since individual joinder of all class and subclass members is impracticable and no other group method of adjudication of all claims asserted herein is more efficient and manageable for at least the following reasons:

(a) the claims presented by Plaintiff in this case predominate over any individual questions of law or fact, if any exist at all.

(b) given the size of individual class and subclass members' damages, few, if any, members could afford to or would seek legal redress individually for the wrongs Defendant committed against them, and absent class and subclass members have no substantial interest in individually controlling the prosecution of individual actions;

(c) the prosecution of separate actions by individual members of the class and state specific subclasses would create a risk of inconsistent or varying adjudications with respect to

individual members of the Class, which would establish incompatible standards of conduct for Defendant.

(d) this action presents no difficulty that would impede its management by the Court as a class action, which is the best available means by which Plaintiff and members of the class can seek redress for the harm caused to them by Defendant.

46. Further, bringing hundreds of thousands of individual claims for a product that generally costs less than \$10 would overburden the courts and be an inefficient method of resolving the dispute, at the center of this litigation. Adjudications with respect to individual members would, as a practical matter, be dispositive of the interest of other members who are not parties to the adjudication and may impair or impede their ability to protect their interests. As a consequence, class treatment is a superior method for adjudication of the issues in this case.

COUNT ONE
NEW YORK DECEPTIVE ACT AND PRACTICES LAW (“DAPL”)
N.Y. GEN. BUS. LAW § 349
(On Behalf of Plaintiff and the Class)

47. Plaintiff restates and realleges all preceding allegations as though fully set forth herein.

48. Defendant engaged in consumer-oriented deceptive acts and practices by prominently labeling, marketing, and selling RAY’S NO SUGAR ADDED sauce as having “No Sugar Added” while intentionally adding allulose—a sugar—to the Products during processing. Defendant made this representation uniformly to consumers purchasing the Products in New York and elsewhere.

49. Defendant’s “No Sugar Added” representation was likely to mislead a reasonable consumer acting reasonably under the circumstances. A reasonable consumer would understand the representation to mean that Defendant had not added a sugar ingredient to the Products during

manufacturing or processing. Whether sugar had been added to the Products was a material characteristic capable of affecting consumers' purchasing decisions and the price they were willing to pay.

50. Defendant's labeling, marketing, and sale of RAY'S NO SUGAR ADDED sauces constitute deceptive acts and practices in violation of § 349 of the New York General Business Law. Defendant represented that the Products possessed a material characteristic—that no sugar had been added during processing—that the Products did not actually possess.

51. As a direct result of Defendant's materially misleading practices, Plaintiff and the New York Class paid more for RAY'S NO SUGAR ADDED sauces than the Products were worth as truthfully represented. Defendant's "No Sugar Added" representation increased the perceived and market value of the product and caused Plaintiff to pay a price premium for a characteristic the Products did not possess. That price premium—the difference between the value of the Product as represented and its value as truthfully represented—constitutes an actual economic injury.

52. Under §349(h), individuals, or a class of individuals, may bring an action to recover the greater of \$50 or actual damages, in addition to three times the actual damages, and may also seek and be awarded attorney's fees and costs. Plaintiffs and the New York Class seek such relief.

COUNT TWO
NEW YORK FALSE ADVERTISING LAW
N.Y. GEN. BUS. LAW § 350
On Behalf of Plaintiff and the Class

53. Plaintiff restates and realleges the preceding allegations set forth above.

54. Defendant engaged in false advertising within the meaning of §§ 350 and 350-a by prominently labeling, advertising, and marketing RAY'S NO SUGAR ADDED sauces as having "No Sugar Added" when, in fact, Defendant adds allulose—a sugar—to the product during processing.

55. Defendant's "No Sugar Added" representation was false and materially misleading. Defendant prominently represented to consumers that no sugar had been added to the Products even though Defendant intentionally adds allulose—a sugar—to the Products during processing. As alleged above, Defendant's representation also directly contradicts the federal regulation governing the precise "No Sugar Added" claim Defendant chose to make.

56. As a direct result of Defendant's false advertising, Plaintiff paid more for RAY'S NO SUGAR ADDED sauce than the Product was worth as truthfully represented. Defendant's "No Sugar Added" representation increased the perceived and market value of the Product and caused Plaintiff to pay a price premium for a characteristic the Product did not possess. The resulting price premium constitutes an actual economic injury to Plaintiff and the other Class members. Under §350-e, individuals, or a class of individuals, may bring an action to recover the greater of \$500 or actual damages, plus up to three times their actual damages, and may also seek and be awarded attorney's fees and costs. Plaintiffs and the other Class members seek such relief.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff, individually and on behalf of all others similarly situated, respectfully requests that the Court enter judgment in their favor against Defendant as follows:

- A. Certifying the Class under Federal Rule of Civil Procedure 23 as requested herein;
- B. Appointing Plaintiff as the class representative and Plaintiff's Counsel as class counsel;
- C. Awarding Plaintiff and the other Class members actual, compensatory, punitive, statutory, treble, equitable and/or consequential damages;
- D. Awarding Plaintiff and the other Class members reasonable attorneys' fees, costs, and expenses; and,
- E. Granting such other relief as the Court deems just and appropriate.

JURY TRIAL DEMANDED

Plaintiffs demand a jury trial on all issues.

Dated: September 8, 2026

Respectfully submitted,

REESE LLP

/s/ Michael R. Reese

Michael R. Reese

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New York, New York 10025

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Counsel for Plaintiff and the Proposed Class

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Janet Ross

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

(c) Attorneys (Firm Name, Address, and Telephone Number)

Michael R. Reese (212) 643-0500
REESE LLP 100 West 93rd Street, 16th Floor, NY, NY 10025

DEFENDANTS

Ken's Foods, LLC

County of Residence of First Listed Defendant Middlesex County, MA
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 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 (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice	PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☒ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☐ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education	PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee * ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. 1332(d)
Brief description of cause:
violation of New York consumer protection statutes

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 5000000 CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

PART A - CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.7 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

Case is Eligible for Arbitration

I, **Michael Reese**, counsel for **plaintiff**, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- ☒ monetary damages sought are in excess of \$150,000.00 exclusive of interest and costs,
- ☐ the complaint seeks injunctive relief, or
- ☐ the matter is otherwise ineligible for the following reason:

PART B - DISCLOSURE STATEMENT - FEDERAL RULES of CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks. Add an additional page if needed.

Ken's Foods, Inc.

PART C - RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 3 in Section VIII on the front of this form. Rule 3(a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 3(a) provides that "A civil case shall not be deemed "related" to another civil case merely because the civil case involves identical legal issues, or the same parties." Rule 3 further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (b), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

PART D - NEW YORK EASTERN DISTRICT DIVISION OF BUSINESS RULE 1(d)(3)

If you answer "Yes" to any of the questions below, this case will be designated as a Central Islip case and you **must select Office Code 2**.

1. Is the action being removed from a state court that is located in Nassau or Suffolk County?
2. In actions not involving real property, is the action being brought against United States, its officers or its employees AND the majority of the plaintiffs reside in Nassau or Suffolk County?
3. If you answered "No" to all parts of Questions 1 and 2:
 - a. Did a substantial part of the events or omissions giving rise to claim or claims occur in Nassau or Suffolk County?
 - b. Do the majority of defendants reside in Nassau or Suffolk County?
 - c. Is a substantial amount of any property at issue located in Nassau or Suffolk County?
4. If this is a Fair Debt Collection Practice Act case, was the offending communication received in either Nassau or Suffolk County?
 (Note, a natural person is considered to reside in the county in which that person is domiciled; an entity is considered a resident of the county that is either its principal place of business or headquarters, or if there is no such county in the Eastern District, the county within the District with which it has the most significant contacts).

PART E - BAR ADMISSION

1. I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

If you answered No to E(1), please see instructions and Local Civ. R. 1.3.

2. Are you currently the subject of any disciplinary action (s) in this or any other state or federal court? If yes, please explain:

PART F - IMMIGRATION HABEAS

1. Is this petition based on an immigration detention? 2. Does this case require immediate attention of a judge?

Check Form to Validate Before Signing

If you answered Yes in Part F, and are filing this action after business hours, please see instructions here: <https://www.nyed.uscourts.gov/emergency-applications-filed-after-business-hours>.

I certify the accuracy of all information provided above.
Signature: /s/ Michael R. Reese September 8, 2026

Date: _____