IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CROSS CREEK PICTURES, LLC, IMAGINE ENTERTAINMENT, LLC, QUADRANT PICTURES, and VENDIAN ENTERTAINMENT, LLC,	)	
Plaintiffs,	)	Civil Action File No. _____
v.	)	
S&S AVIATION, INC.,	)	
Defendant.	)	

COMES NOW Plaintiffs CROSS CREEK PICTURES, LLC; IMAGINE ENTERTAINMENT, LLC; QUADRANT PICTURES; and VENDIAN ENTERTAINMENT, LLC (hereinafter collectively referred to as "Plaintiffs"), for causes of action against Defendant S & S AVIATION CO, INC and allege and state as follows:

PARTIES, JURISDICTION AND VENUE

1. Plaintiff CROSS CREEK PICTURES, LLC is, and during all times herein relevant was, a Delaware corporation licensed to do business and doing business in the State of California.

2. Plaintiff IMAGINE ENTERTAINMENT, LLC is, and during all times

herein relevant was, a Delaware corporation licensed to do business and doing business in the State of California.

3. Plaintiff QUADRANT PICTURES is, and during all times herein relevant was, a California corporation licensed to do business and doing business in the State of California.

4. Plaintiff VENDIAN ENTERTAINMENT, LLC is, and during all times herein relevant was, a Delaware corporation licensed to do business and doing business in the State of California.

5. Defendant S & S AVIATION CO, INC. is, and during all times herein relevant was, a Georgia corporation, may be served through its registered agent James L. Garland, 1800 Airport Drive, Cherokee County, Ball Ground, Georgia 30107, USA, and is subject to personal jurisdiction in this Court.

6. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between Plaintiffs and Defendant, and the total amount in controversy exceeds $75,000, exclusive of costs and interest of this action. This Court also has subject matter jurisdiction pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. § 1331.

7. Venue is proper in this District pursuant to 28 U.S.C.A. section 1391(b)(1).

GENERAL ALLEGATIONS

8. This case arises out of the filming of a major motion picture in the Republic of Columbia, South America, originally entitled, "Mena" and since re-titled "American Made," ("Mena") in which Tom Cruise is cast in the role of an American pilot, Barry Seal, a drug runner recruited by the C.I.A. in the 1980's to try to capture drug kingpin Pablo Escobar.

9. The accident which gives rise to this litigation occurred on or about September 11, 2015, involving a Piper/Smith Aerostar 600 airplane, United States Registration No. 4164HH ("Subject Aircraft"), which crashed in Republic of Columbia, South America. Two of the occupants of the aircraft perished and the third occupant was seriously injured. An underlying action was filed by the heirs of one of the decedents against Plaintiffs here, among others, in the Superior Court for the County of Los Angeles as Case No. BC 617199. Based on the substance of the wrongful death and survival claims asserted in the Complaint in the Underlying Action and all other claims arising from the accident, claims have been asserted for damages against each of the Plaintiffs totaling an amount in excess of $75,000.00, and each Plaintiff seeks total indemnity against Defendant for any and all amounts that may be awarded against each of them in the Underlying Action or otherwise as a result of claims arising from the accident. The Complaint in the Underlying Action

is attached as Exhibit A and incorporated herein by reference (the "Underlying Action.")

10. Plaintiffs allege that Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, were negligent in failing to properly inspect, repair, maintain and ensure airworthiness of the Subject Aircraft, resulting in the damages as alleged in the Underlying Action.

11. Plaintiffs allege that Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, were negligent in failing to operate the Subject Aircraft in a safe manner, including, but not limited to, failure to provide adequate pre-flight preparation, briefing, instruction, training and supervision to the pilot in command, resulting in the damages as alleged in the Underlying Action.

12. Plaintiffs allege that any damages alleged in the Underlying Action were caused entirely or in part on a comparative fault basis by the negligence, careless or tortious conduct of Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, and that Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, are solely responsible for any and all damages recoverable by plaintiffs in the Underlying Action as a result of the subject accident, as alleged herein.

13. If Plaintiffs are held liable for the damages alleged in the Underlying Action or otherwise arising from the accident, such liability, if any, would be solely, or in part, due to the comparative fault of Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, through their negligent conduct and only secondarily, or in part, on a comparative fault basis, due to the conduct of Plaintiffs.

14. In addition to any liability arising from the accident, Plaintiffs have also incurred and will incur attorneys' fees and legal costs in an amount in excess of $75,000. Plaintiffs will amend this Complaint to state the amount of such attorneys' fees and costs when the same have been ascertained.

15. An actual controversy has arisen and now exists between Plaintiffs and Defendant in that Plaintiffs contend that Defendant S&S Aviation, Co., Inc. denies that it is in any way responsible for the damages as alleged in the Underlying Action.

FIRST CAUSE OF ACTION

(Total Equitable Indemnity Against Defendants S & S AVIATION CO, INC.)

16. Plaintiffs hereby repeat, refer to and reallege all of the allegations contained in paragraphs 1 through 15, inclusive, of this Complaint, and incorporate the same by reference as though fully set forth herein.

17. As a direct result of the actions of Defendant S & S AVIATION CO,

INC., and its agents, employees and servants actions, and each of them, as set forth herein, liability, if any, for the damages claimed in the Underlying Action rest solely upon Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, on the basis that the negligence of said Defendants was active and primary compared to the negligence, if any, of Plaintiffs which was secondary or passive.

18. As a direct result of the actions of Defendant S & S AVIATION CO, INC., and its agents, employees and servants actions, and each of them, as set forth herein, liability, if any, for the damages claimed in the Underlying Action, any liability on the part of the Plaintiffs in the underlying action, results solely from the negligence of Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, and may be imputed to one or all of the Plaintiffs, without any fault on the part of the aforesaid Plaintiff or Plaintiffs, and therefore Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, are liable to the aforesaid Plaintiffs or Plaintiff.

19. As such, Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, are obligated to reimburse Plaintiffs for their attorneys' fees and legal costs and to indemnify Plaintiffs for any and all sums

Plaintiffs pay or are compelled to pay or may be compelled to pay as a result of any settlement, judgment or other awards in the Underlying Action.

20. Based upon the foregoing, Plaintiffs are entitled to full, complete and total indemnity from Defendant S & S AVIATION CO, INC., for any and all damages that may be awarded against Plaintiffs herein in the Underlying Action.

SECOND CAUSE OF ACTION

(Comparative Indemnity Against Defendant S & S AVIATION CO, INC.)

21. Plaintiffs hereby repeat, refer to and reallege all of the allegations contained in paragraphs 1 through 15, and 17 and 18, inclusive, of this Complaint, and incorporate the same by reference as though fully set forth herein.

24. If it is determined that Plaintiffs are liable in the Underlying Action, Plaintiffs are entitled to indemnification from Defendant S & S AVIATION CO, INC., for that portion of the judgment in the Underlying Action attributable to the percentage of the comparative fault assessed or assessable against Defendants S & S AVIATION CO, INC., and its agents, employees and servants, and each of them.

THIRD CAUSE OF ACTION

(Equitable Apportionment of Fault Against Defendant S & S AVIATION CO, INC.)

25. Plaintiffs hereby repeat, refer to and reallege all of the allegations contained in paragraphs 1 through 15, and 17 and 18, inclusive, of this Complaint,

and incorporate the same by reference as though full set forth herein.

26. By the reason of the foregoing, Plaintiffs are entitled, at a minimum, to a declaration of this Court with respect to the relative proportion of negligence, fault and/or other liability of Plaintiffs and Defendant S & S AVIATION CO, INC., and its agents, employees and servants, and each of them, which proximately caused and/or contributed to the alleged loss, damage or injury in the Underlying Action.

FOURTH CAUSE OF ACTION

(Contribution Against Defendant S & S AVIATION CO, INC.)

27. Plaintiffs hereby repeat, refer to and reallege all of the allegations contained in paragraphs 1 through 15, and 17 and 18, inclusive, of this Complaint, and incorporate the same by reference as though full set forth herein.

28. Plaintiffs contend that they were in no way legally responsible for the loss, damage or injury alleged in the Underlying Action. However, if Plaintiffs are held liable for any portion of the claims asserted against it in the Underlying Action, Defendant S & S AVIATION CO, INC., is obligated to reimburse Plaintiffs for that portion of the negligence, fault and/or other liability of said Defendant S & S AVIATION CO, INC., and its agents, employees and servants, assessed against all or each them which proximately caused of contributed to the alleged loss, damage or injury in the Underlying Action.

FIFTH CAUSE OF ACTION

(Declaratory Relief Against S & S AVIATION CO, INC.)

29. Plaintiffs hereby repeat, refer to and reallege all of the allegations contained in paragraphs 1 through 15, and 17 and 18, inclusive, of this Complaint, and incorporate the same by reference as though fully set forth herein.

30. Plaintiffs desire a judicial determination of the respective rights and duties of Plaintiffs and Defendant S & S AVIATION CO, INC., with respect to the damages claimed herein and a declaration between Plaintiffs and Defendant S & S AVIATION CO, INC., that the liability for such damages, if any, rests solely, or in part on a comparative fault basis, with Defendant S & S AVIATION CO, INC., its agents, employees and servants, and each of them, and each of them, and only secondarily, or in part on a comparative fault basis, with Plaintiffs, and further, that Defendant S & S AVIATION CO, INC., is obligated to reimburse Plaintiffs for their attorneys' fees and legal costs incurred in defending the Underlying Action and to indemnify Plaintiffs for such sums or a portion of sums Plaintiffs may pay or be compelled to pay, as a result of any settlement, judgment or other awards in the Underlying Action or otherwise arising from the accident. Such a declaration is necessary and appropriate at this time in order that Plaintiffs may ascertain their rights and duties with respect to the damages claimed herein.

WHEREFORE, Plaintiffs pray for judgement against Defendant S & S AVIATION CO, INC., , as follows:

1. That Plaintiffs have judgment for full and complete indemnity from Defendant S & S AVIATION CO, INC. for the amount of any judgment that may be rendered against Plaintiffs in the Underlying Action or any settlement that may result from the Underlying Action;

2. That Defendant S & S AVIATION CO, INC. be required to defend the Underlying Action on behalf of Plaintiffs at their own expense and to pay any judgment which may be rendered against Plaintiffs;

3. For a declaration by this Court that the negligence of Defendant S & S AVIATION CO, INC., its agents, employees and servants, and each of them, proximately caused and contributed to any and all events and happenings and damages as alleged in the Underlying Action;

4. That in the event that any judgment is entered against Plaintiffs in the Underlying Action, that Plaintiffs are entitled to a declaration by the court as to the respective degrees of negligence, if any, of Defendant S & S AVIATION CO, INC., its agents, employees and servants, and each of them, in causing or contributing to the damages, if any;

5. That in the event any judgment is rendered against Plaintiffs in the Underlying Action, that Defendant S & S AVIATION CO, INC. be ordered to indemnify Plaintiffs on a comparative fault or equitable indemnity basis;

6. That Defendant S & S AVIATION CO, INC. be required to reimburse Plaintiffs for its costs and expenses incurred in connection with the defense of the Underlying Action, including the filing of this Complaint;

7. For attorneys' fees and costs incurred herein;

8. That Defendant S & S AVIATION CO, INC. be required to indemnify and hold harmless Plaintiffs for any and all claims, losses, damages, attorneys' fees, judgments, settlements and/or expenses incurred herein;

9. For all costs of suit incurred herein;

10. For a separate declaration as to the respective degrees and percentage of fault of liability, if any, of Plaintiffs, on the one hand, and Defendant S & S AVIATION CO, INC., its agents, employees and servants, and each of them, on the other hand;

11. That Plaintiff have trial by jury of all issues so triable, and

12. For such other and further relief as the court deems just and proper.

Respectfully submitted, this 8th day of September, 2017.

/s/ Donald R. Andersen
DONALD R. ANDERSEN
Georgia Bar No. 016125
dandersen@taylorenglish.com
CATHERINE M. BANICH
Georgia Bar No. 260514
cbanich@taylorenglish.com

TAYLOR ENGLISH DUMA LLP
1600 Parkwood Circle, Suite 400
Atlanta, Georgia 30339
Telephone: 770-434-6868
Facsimile: 770-434-7376

Attorneys for Plaintiffs

JS44 (Rev. 6/2017 NDGA)

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

I. (a) PLAINTIFF(S)

CROSS CREEK PICTURES, LLC, IMAGINE ENTERTAINMENT, LLC, QUADRANT PICTURES, and VENDIAN ENTERTAINMENT, LLC

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Los Angeles County, CA
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANT(S)

S&S AVIATION, INC.

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Cherokee County, GA
(IN U.S. PLAINTIFF CASES ONLY)

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

(c) ATTORNEYS (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

Donald R. Andersen, Esq. / Catherine M. Banich, Esq.
Taylor English Duma LLP, 1600 Parkwood Circle, #400,
Atlanta, Georgia 30339; 770-434-6868;
dandersen@taylorenglish.com /
cbanich@taylorenglish.com

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)
(FOR DIVERSITY CASES ONLY)

PLF	DEF		PLF	DEF	
☐ 1	☐ 1	CITIZEN OF THIS STATE	☐ 4	☑ 4	INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE
☐ 2	☐ 2	CITIZEN OF ANOTHER STATE	☑ 5	☐ 5	INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE
☐ 3	☐ 3	CITIZEN OR SUBJECT OF A FOREIGN COUNTRY	☐ 6	☐ 6	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 District)
- ☐ 6 MULTIDISTRICT LITIGATION - TRANSFER
- ☐ 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
- ☐ 8 MULTIDISTRICT LITIGATION - DIRECT FILE

V. 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)

This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. § 1332 because there is complete diversity of citizenship between Plaintiffs and Defendant, and the amount in controversy exceeds $75,000, exclusive of costs and interest of this action. This Court also has subject matter jurisdiction pursuant to the Federal Declaratory Judgment Act, 28 U.S.C. § 1331

(IF COMPLEX, CHECK REASON BELOW)

- ☐ 1. Unusually large number of parties.
- ☐ 2. Unusually large number of claims or defenses.
- ☐ 3. Factual issues are exceptionally complex
- ☐ 4. Greater than normal volume of evidence.
- ☐ 5. Extended discovery period is needed.
- ☐ 6. Problems locating or preserving evidence
- ☐ 7. Pending parallel investigations or actions by government.
- ☐ 8. Multiple use of experts.
- ☐ 9. Need for discovery outside United States boundaries.
- ☐ 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT $_____ APPLYING IFP _____ MAG. JUDGE (IFP) _____

JUDGE _____ MAG. JUDGE _____ NATURE OF SUIT _____ CAUSE OF ACTION _____
(Referral)

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK
- ☐ 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
- ☐ 152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
- ☐ 153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK
- ☐ 110 INSURANCE
- ☐ 120 MARINE
- ☐ 130 MILLER ACT
- ☐ 140 NEGOTIABLE INSTRUMENT
- ☐ 151 MEDICARE ACT
- ☐ 160 STOCKHOLDERS' SUITS
- ☐ 190 OTHER CONTRACT
- ☐ 195 CONTRACT PRODUCT LIABILITY
- ☐ 196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK
- ☐ 210 LAND CONDEMNATION
- ☐ 220 FORECLOSURE
- ☐ 230 RENT LEASE & EJECTMENT
- ☐ 240 TORTS TO LAND
- ☐ 245 TORT PRODUCT LIABILITY
- ☐ 290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK
- ☐ 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
- ☐ 365 PERSONAL INJURY - PRODUCT LIABILITY
- ☐ 367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
- ☐ 368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK
- ☐ 370 OTHER FRAUD
- ☐ 371 TRUTH IN LENDING
- ☐ 380 OTHER PERSONAL PROPERTY DAMAGE
- ☐ 385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK
- ☐ 422 APPEAL 28 USC 158
- ☐ 423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK
- ☐ 440 OTHER CIVIL RIGHTS
- ☐ 441 VOTING
- ☐ 442 EMPLOYMENT
- ☐ 443 HOUSING/ ACCOMMODATIONS
- ☐ 445 AMERICANS with DISABILITIES - Employment
- ☐ 446 AMERICANS with DISABILITIES - Other
- ☐ 448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK
- ☐ 462 NATURALIZATION APPLICATION
- ☐ 465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK
- ☐ 463 HABEAS CORPUS- Alien Detainee
- ☐ 510 MOTIONS TO VACATE SENTENCE
- ☐ 530 HABEAS CORPUS
- ☐ 535 HABEAS CORPUS DEATH PENALTY
- ☐ 540 MANDAMUS & OTHER
- ☐ 550 CIVIL RIGHTS - Filed Pro se
- ☐ 555 PRISON CONDITION(S) - Filed Pro se
- ☐ 560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK
- ☐ 550 CIVIL RIGHTS - Filed by Counsel
- ☐ 555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK
- ☐ 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
- ☐ 690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK
- ☐ 710 FAIR LABOR STANDARDS ACT
- ☐ 720 LABOR/MGMT. RELATIONS
- ☐ 740 RAILWAY LABOR ACT
- ☐ 751 FAMILY and MEDICAL LEAVE ACT
- ☐ 790 OTHER LABOR LITIGATION
- ☐ 791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK
- ☐ 820 COPYRIGHTS
- ☐ 840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK
- ☐ 830 PATENT
- ☐ 835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK
- ☐ 861 HIA (1395ff)
- ☐ 862 BLACK LUNG (923)
- ☐ 863 DIWC (405(g))
- ☐ 863 DIWW (405(g))
- ☐ 864 SSID TITLE XVI
- ☐ 865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK
- ☐ 870 TAXES (U.S. Plaintiff or Defendant)
- ☐ 871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK
- ☐ 375 FALSE CLAIMS ACT
- ☐ 376 Qui Tam 31 USC 3729(a)
- ☐ 400 STATE REAPPORTIONMENT
- ☐ 430 BANKS AND BANKING
- ☐ 450 COMMERCE/ICC RATES/ETC.
- ☐ 460 DEPORTATION
- ☐ 470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
- ☐ 480 CONSUMER CREDIT
- ☐ 490 CABLE/SATELLITE TV
- ☐ 890 OTHER STATUTORY ACTIONS
- ☐ 891 AGRICULTURAL ACTS
- ☐ 893 ENVIRONMENTAL MATTERS
- ☐ 895 FREEDOM OF INFORMATION ACT
- ☐ 899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
- ☐ 950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK
- ☐ 410 ANTITRUST
- ☐ 850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK
- ☐ 896 ARBITRATION (Confirm / Vacate / Order / Modify)

*** PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3**

VII. REQUESTED IN COMPLAINT:

☐ **CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23** **DEMAND $** 75,001.00

JURY DEMAND ☑ **YES** ☐ **NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)**

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE_____ **DOCKET NO.**_____

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- ☐ **1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.**
- ☐ **2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.**
- ☐ **3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.**
- ☐ **4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.**
- ☐ **5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.**
- ☐ **6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):**

- ☐ **7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. , WHICH WAS DISMISSED. This case ☐ IS ☐ IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.**

SIGNATURE OF ATTORNEY OF RECORD **DATE**