

Marc E. Angelucci, Esq. (SBN 211291)

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Attorney for Plaintiffs the National Coalition for Men and James Lesmeister

BY: _____
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

13 APR -4 AM 10: 21

FILED

IN THE UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

NATIONAL COALITION FOR MEN and
JAMES LESMEISTER, Individually and on
behalf of others similarly situated,

CW13-02391 DSF (MANx)

FOR INJUNCTIVE AND DECLARATORY
RELIEF

PLAINTIFFS,

v.

SELECTIVE SERVICE SYSTEM; LAWRENCE
G. ROMO, as Director of SELECTIVE
SERVICE SYSTEM; and DOES 1 through 10,
Inclusive,

DEFENDANTS.

JURY TRIAL DEMANDED

Plaintiffs National Coalition For Men (hereinafter "NCFM") and James Lesmeister (hereinafter "Lesmeister"), both collectively hereinafter "Plaintiffs," bring this complaint against Defendants Selective Service System (hereinafter "SSS") and its Director Lawrence G. Romo, collectively hereinafter ("Defendants"). Plaintiffs request injunctive and declaratory relief for Defendants to treat women and men equally by requiring both women and men to register for the U.S. military draft. Secretary of Defense Leon Panetta's announcement in January of 2013, lifting the ban

1 on women serving in combat for the U.S. military, will remove the only legal impediment to requiring
2 women to register for the draft. Plaintiffs' allegations are based upon information and belief and upon
3 investigation of Plaintiffs' counsel.

4 **JURISDICTION AND VENUE**

5 1. Plaintiffs bring this action under the Fifth and Fourteenth Amendments of the United States
6 Constitution, and United States Code, Title 28, Section 1983 to challenge Defendants' sex
7 discrimination against males in Defendants' Selective Service System, which requires only males
8 register for the draft into the branches of the U.S. military.

9 2. This Court has jurisdiction pursuant to the following statutes:

10 a. 28 U.S.C. § 1331, which gives district courts original jurisdiction over civil actions arising
11 under the Constitution, laws, or treaties of the United States.

12 b. 28 U.S.C. § 1343 (3) and (4), which give district courts original jurisdiction over actions to
13 secure civil rights extended by the United States government.

14 3. Venue is appropriate in this judicial district under 28 U.S.C. § 1391(b) because the events giving
15 rise to this Complaint occurred in this District, or a substantial part of property that is the subject
16 of the action is situated in this District.

17 4. No other forum would be more convenient for the parties and witnesses to litigate this action.

18 **PARTIES**

19 5. Plaintiff NCFM is a non-profit, 501(c)(3) educational and civil rights corporation organized under
20 the laws of the State of California and of the United States.

21 6. NCFM is registered with the Combined Federal Campaign for non-profit organizations.

22 7. NCFM is the oldest organization in the world that advocates for equal rights for men and women.

11. Defendant SSS is an independent agency within the Executive Branch of the Federal Government of the United States of America. The SSS collects and maintains information on men potentially subject to military conscription. Male U.S. citizens and male immigrant non-citizens between the ages of 18 and 25, are all required by law to register with the SSS within thirty days of their 18th birthdays and must notify the SSS within ten days of any changes to any of the information they provided on their registration cards, such as a change of address. A 2010 report by the General Accounting Office estimated the SSS's registration rate at 92%, with the names and addresses of over 16.2 million men on file. The SSS provides the names of all registrants to the Joint Advertising Marketing Research & Studies ("JAMRS") program for inclusion in the JAMRS Consolidated Recruitment Database. The names are distributed to various government agencies for recruiting purposes on a quarterly basis.

12. Defendant, Lawrence G. Romo, is Director of the SSS. The Director of SSS is appointed by the President of the United States of America and confirmed by the Senate.

13. Defendants DOES 1 through 50 are sued as fictitious entities at this time and will be added to this Complaint by amendment when their true names are ascertained.

14. Plaintiffs are informed and believe and thereon allege that each of the Defendants is responsible and liable for the illegal and unconstitutional acts alleged herein.

15. There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this Court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge.

GENERAL ALLEGATIONS

16. Plaintiffs re-allege each allegation set forth above.

17. Within the past three years, Defendants have been and are enacting, implementing, and/or administering laws, rules, and public policies, which discriminate against males by requiring only males to register for the draft under the SSS program.

18. The above-referenced discriminatory laws and policies violate the rights of Plaintiffs and other qualifying men in the United States under the 5TH and 14th Amendments of the United States Constitution and United States Code, Title 28, Section 1983. Men failing to register with SSS can be fined \$250,000, sentenced to five years in prison, and be disqualified from a number of federal and state benefits including: jobs, financial aid, citizenship, and job training.

19. In the 1981 U.S. Supreme Court decision of *Rostker v. Goldberg*, 453 U.S. 57 (1981), the Court held that women did not have to register with the SSS for the military draft because women were excluded from combat, therefore, men and women were not similarly situated,. However, in January of 2013, U.S. Secretary of Defense Leon Panetta announced that women will be allowed to enter all combat positions in all branches of the U.S. military.

20. Therefore, the sole legal basis for requiring only males to register with the SSS for the military draft no longer applies, and Defendants should now treat men and women equally.

21. A USA Today article on Secretary Panetta's announcement ending the military's ban on women in combat read, "Women currently serve in a number of combat positions, including piloting warplanes or serving on ships in combat areas. Since the start of the wars in Afghanistan and Iraq, 292,000 women have served in those combat zones out of a total of almost 2.5 million, Pentagon records show. In both wars, 152 women have died from combat or noncombat causes, records show, and 958 have been wounded in action."

22. The U.S. Supreme Court, in *Frontiero v. Richardson*, 411 U.S. 677 (1973), ruled that the Equal Protection Clause of the United States Constitution requires the U.S. military to provide its female

1 29. The above-mentioned conduct by Defendants violates the rights of Plaintiffs under the Fourteenth
2 Amendment of the United States Constitution.
3

4 **COUNT THREE: VIOLATION OF 28 U.S.C. § 1983**

5 30. Plaintiffs re-allege each allegation set forth above.
6

7 31. The above-mentioned conduct by Defendants violates the rights of Plaintiffs under 28 U.S.C. §
8 1983.

9 **PRAYER**

10 Therefore, Plaintiffs pray as follows for:

- 11 1. Injunctive relief ordering Defendants to end the sex-based discrimination in its military
12 draft registration program and to treat men and women equally.
13
- 14 2. Declaratory relief regarding the respective rights of Plaintiffs and all defendants as set forth
15 in this Complaint;
16
- 17 3. Attorney fees and costs; and,
- 18 4. Any other relief that the Court deems just.

19 **JURY DEMAND**

20 Plaintiffs demand a trial by jury on all causes of action so triable.

21 Respectfully Submitted.

22 Law Office of Marc E. Angelucci

23
24
25 Date: 4/4/13

By:



Marc E. Angelucci, Esq.
Attorney for Plaintiffs,
National Coalition For Men, and James Lesmeister

13 APR -4 AM 10: 21
 CLERK U.S. DISTRICT COURT
 CENTRAL DIST. OF CALIF.
 LOS ANGELES

FILED

NAME, ADDRESS & TELEPHONE NUMBER OF ATTORNEY(S) FOR, OR, PLAINTIFF OR DEFENDANT IF PLAINTIFF OR DEFENDANT IS PRO PER
 Marc E. Angelucci, Esq.
 Law Office of Marc E. Angelucci
 11734 Wilshire Blvd., Ste. C903
 Los Angeles, CA 90025

ATTORNEYS FOR: Plaintiff

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

NATIONAL COALITION FOR MEN; and JIMMY ZINN, Individually and on behalf of others similarly situated,
 Plaintiff(s),
 v.
 SELECTIVE SERVICE SYSTEM; LAWRENCE G. ROMO, as Director of SELECTIVE SERVICE SYSTEM; and DOES 1 through 40, Inclusive.
 Defendant(s)

CASE NUMBER:

CV13-02391 DSF (MAR X)

CERTIFICATION AND NOTICE
 OF INTERESTED PARTIES
 (Local Rule 7.1-1)

TO: THE COURT AND ALL PARTIES APPEARING OF RECORD:

The undersigned, counsel of record for PLAINTIFFS (or party appearing in pro per), certifies that the following listed party (or parties) may have a direct, pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal. (Use additional sheet if necessary.)

PARTY

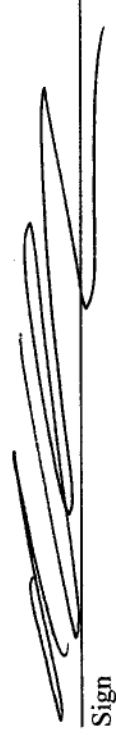
(List the names of all such parties and identify their connection and interest.)

All male U.S. citizens and male immigrant non-citizens who are between the ages of 18 and 25 at an times relevant to this action, who are required by U.S. law and the Selective Service System ("SSS") to register with the SSS within thirty days of their 18th birthdays and who must notify the SSS within ten days of any changes to any of the information they provided on their registration cards, such as a change of address.

CONNECTION

These individuals are subjected to unconstitutional and illegal sex discrimination challenged by this lawsuit under the Fifth and Fourteenth Amendments to the U.S. Constitution and United States Code, Title 28, Section 1983.

4/4/13
 Date


 Sign

Marc Angelucci
 Attorney of record for or party appearing in pro per

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

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Dale S. Fischer and the assigned discovery Magistrate Judge is Margaret A. Nagle.

The case number on all documents filed with the Court should read as follows:

CV13 - 2391 DSF (MANx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

Western Division
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

Southern Division
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

Eastern Division
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

UNITED STATES DISTRICT COURT

for the

Central District of California

NATIONAL COALITION FOR MEN and JAMES LESMEISTER, Individually and on behalf of others similarly situated,

Plaintiff(s)

v.

SELECTIVE SERVICE SYSTEM; LAWRENCE G. ROMO, as Director of SELECTIVE SERVICE SYSTEM; and DOES 1 through 10, Inclusive.

Defendant(s)

CV13-02391 DSF (MAN.x)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

APR - 4 2013

Date:

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____,
a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Central District of California

NATIONAL COALITION FOR MEN and JAMES
LESMEISTER, Individually and on behalf of others
similarly situated,

Plaintiff(s)

v.

SELECTIVE SERVICE SYSTEM; LAWRENCE G.
ROMO, as Director of SELECTIVE SERVICE
SYSTEM; and DOES 1 through 50, Inclusive.

Defendant(s)

CV13-02391 DSE (NMPx)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

APR - 4 2013

Date:



CLERK OF COURT

JULIE PRADO

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (f))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

**NOTICE TO PARTIES: COURT POLICY ON SETTLEMENT
AND USE OF ALTERNATIVE DISPUTE RESOLUTION (ADR)**

Counsel are required to furnish and discuss this Notice with their clients.

Despite the efforts of the courts to achieve a fair, timely and just outcome in all cases, litigation has become an often lengthy and expensive process. For this reason, it is this Court's policy to encourage parties to attempt to settle their disputes, whenever possible, through alternative dispute resolution (ADR).

ADR can reduce both the time it takes to resolve a case and the costs of litigation, which can be substantial. ADR options include mediation, arbitration (binding or non-binding), neutral evaluation (NE), conciliation, mini-trial and fact-finding. ADR can be either Court-directed or privately conducted.

The Court's ADR Program offers mediation through a panel of qualified and impartial attorneys who will encourage the fair, speedy and economic resolution of civil actions. Panel Mediators each have at least ten years legal experience and are appointed by the Court. They volunteer their preparation time and the first three hours of a mediation session. This is a cost-effective way for parties to explore potential avenues of resolution.

This Court requires that counsel discuss with their clients the ADR options available and instructs them to come prepared to discuss the parties' choice of ADR option (settlement conference before a magistrate judge; Court Mediation Panel; private mediation) at the initial scheduling conference. Counsel are also required to indicate the client's choice of ADR option in advance of that conference. See Civil L.R. 26-1(c) and Fed.R.Civ.P. 26(f).

Clients and their counsel should carefully consider the anticipated expense of litigation, the uncertainties as to outcome, the time it will take to get to trial, the time an appeal will take if a decision is appealed, the burdens on a client's time, and the costs and expenses of litigation in relation to the amounts or stakes involved.

Of the more than 9,000 civil cases filed in the District annually, less than 2 percent actually go to trial. The remaining cases are, for the most part: settled between the parties; voluntarily dismissed; resolved through Court-directed or other forms of ADR; or dismissed by the Court as lacking in merit or for other reasons provided by law.

For more information about the Court's ADR Program, the Mediation Panel, and the profiles of mediators, visit the Court website, www.cacd.uscourts.gov, under "ADR."

**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)
 NATIONAL COALITION FOR MEN; and JIMMY ZINN, individually and on behalf of others similarly situated. SELECTIVE SERVICE SYSTEM; LAWRENCE G. ROMO, as Director of SELECTIVE SERVICE SYSTEM; and DOES 1 through 10, Inclusive.

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
 Marc E. Angelucci, Esq. (SBN 211291)
 Law Office of Marc E. Angelucci
 11734 Wilshire Blvd., Ste. C903
 Los Angeles, CA 90025

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 PTF 1 DEF 1 Incorporated or Principal Place of Business in this State PTF 4 DEF 4
 Citizen of Another State PTF 2 DEF 2 Incorporated and Principal Place of Business in Another State PTF 5 DEF 5
 Citizen or Subject of a Foreign Country PTF 3 DEF 3 Foreign Nation PTF 6 DEF 6
 5. Transferred from Another District (Specify) 6. Multi-District Litigation

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

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ _____
CLASS ACTION under F.R.Cv.P. 23: Yes No

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 the Fifth and Fourteenth Amendments to the United States Constitution, and of United States Code, Title 28, Section 1983, by requiring only males to register for the Selective Service.

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"/> 463 Alien Detainee	<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"/> 510 Motions to Vacate Sentence	<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"/> 530 General	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 140 Negotiable Instrument	TORTS	PERSONAL PROPERTY	<input type="checkbox"/> 535 Death Penalty	SOCIAL SECURITY
<input type="checkbox"/> 450 Commerce/ICC Rates/Etc.	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	PERSONAL INJURY	<input type="checkbox"/> 370 Other Fraud	Other: <input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 863 DIWC/DIWW (405 (g))
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 560 Civil Detainee Conditions of Confinement	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 340 Marine	BANKRUPTCY	FORFEITURE/PENALTY	<input type="checkbox"/> 865 RSI (405 (g))	FEDERAL TAX SUITS
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 <input type="checkbox"/> USC 158 <input type="checkbox"/> 423 Withdrawal 28 <input type="checkbox"/> USC 157	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 <input type="checkbox"/> USC 881	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 350 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 690 Other		
<input type="checkbox"/> 891 Agricultural Acts	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input checked="" type="checkbox"/> 440 Other Civil Rights	LABOR		
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 710 Fair Labor Standards Act		
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 720 Labor/Mgmt. Relations		
<input type="checkbox"/> 896 Arbitration	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 740 Railway Labor Act		
<input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 445 American with Disabilities-Employment	<input type="checkbox"/> 751 Family and Medical Leave Act		
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 446 American with Disabilities-Other	<input type="checkbox"/> 790 Other Labor Litigation		
	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 448 Education Security Act	<input type="checkbox"/> 791 Employee Ret. Inc. Security Act		

FOR OFFICE USE ONLY: Case Number: **CV13-02391**

AFTER COMPLETING PAGE 1 OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED ON PAGE 2.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA

CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? NO YES

if yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? NO YES

if yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) A. Arise from the same or closely related transactions, happenings, or events; or
 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; or
 D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles County	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
NOTE: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Los Angeles	

*Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR SELF-REPRESENTED LITIGANT): _____ DATE: 4/27/13

Notice to Counsel/Parties: The CV-71 (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. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet).

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. 1935FFF(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))

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

Attention:

New Civil Actions

Pursuant to Local Rule 3-2, you are required to e-mail a conformed, "Filed" stamped copy of your entire initial filing to the Court in PDF format by close of business the following business day. E-mails should be directed to the division to which the case is assigned, as follows:

- CivilIntakeCourtDocs-LA@cacd.uscourts.gov**
(for Western Division case numbers CV##-####)
- CivilIntakeCourtDocs-RS@cacd.uscourts.gov**
(for Eastern Division case numbers EDCV##-####)
- CivilIntakeCourtDocs-SA@cacd.uscourts.gov**
(for Southern Division case numbers SACV##-####)

SUBJECT LINE OF E-MAIL MUST INCLUDE BOTH

DOCUMENT TYPE (complaint, notice of removal, etc.) AND CASE NUMBER

For example: Complaint CV08-01234-ABC(SHx)

All documents in the initial filing must be e-mailed to the Court in PDF format, but certain documents must be included in the same PDF file as the Complaint/ Notice of Removal, while other documents must be sent as separate PDF files, as follows:

- Complaint/ Notice of Removal, Notice of Assignment to Magistrate Judge for Discovery (CV-18), Summons (CV-01A), and all pages of the Civil Cover Sheet (CV-71) as one PDF attachment.
- Certification and Notice of Interested Parties (CV-30) as a separate PDF attachment.
- AO-120 or AO-121 (for Patent, Trademark, Copyright cases only) as a separate PDF attachment.
- Any other documents filed in paper format simultaneously with the Complaint/Notice of Removal as separate PDF attachments.

Subsequent documents e-mailed to any of the above addresses will not be accepted Pursuant to Local Rule 5-4.1, all documents in civil cases must be filed electronically using the Courts CM/ECF System, unless exempted by Local Rule 5-4.2.

The ECF Helpdesk can be reached at 213-894-0242 during business hours Monday through Friday, 8:00 a.m. to 5:00 p.m. (Pacific Time)
E-mail questions to: ecf-helpdesk@acd.uscourts.gov