

FILED

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

BY _____

6 Attorneys for Plaintiffs NZK
PRODUCTIONS INC., and HORIZON
7 ALTERNATIVE TELEVISION INC.

8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

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NZK PRODUCTIONS INC., a
California corporation, and HORIZON
ALTERNATIVE TELEVISION INC., a
Delaware corporation,

Plaintiffs,

v.

STEPHEN CARBONE, an individual,
REALITY STEVE, LLC, a Texas
limited liability corporation, and DOES
1 through 10, inclusive,

Defendants.

Case No. **CV11 10118-GHK**
(EX)

COMPLAINT FOR:

- (1) INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS; AND
- (2) UNFAIR COMPETITION, CAL. BUS. & PROF. CODE § 17200 et seq..

DEMAND FOR JURY TRIAL

1 Plaintiffs NZK Productions Inc. and Horizon Alternative Television Inc.
2 (collectively "Plaintiffs") hereby bring this Complaint against Defendants Stephen
3 Carbone, Reality Steve, LLC, and Does 1 through 10, inclusive, alleging as follows:

4 **PARTIES**

5 1. NZK Productions Inc. ("NZK") is a California corporation with its
6 principal place of business in Burbank, California.

7 2. Horizon Alternative Television Inc. ("Horizon") is a Delaware
8 corporation with its principal place of business in Burbank, California.

9 3. Plaintiffs are informed and believe, and on that basis allege, that
10 Reality Steve, LLC is a Texas limited liability corporation that owns and operates a
11 website at www.realitysteve.com that is accessible from California and, with respect
12 to certain of its content, expressly directed to California residents.

13 4. Plaintiffs are informed and believe, and on that basis allege, that
14 Defendant Stephen Carbone is an individual residing in the state of Texas. Plaintiffs
15 are further informed and believe, and on that basis allege that, at all times relevant,
16 Carbone is and was a member and an agent of Reality Steve, LLC and that, in doing
17 the things alleged herein, Carbone was acting within the course and scope of his
18 agency and with the knowledge, permission and consent of Reality Steve, LLC.
19 Carbone and Reality Steve, LLC are collectively referred to herein as "Defendants".

20 5. The true names and capacities, whether individual, corporate,
21 partnership, associate, or otherwise, of the Defendants named herein as Does 1-10,
22 inclusive, are presently unknown to Plaintiffs, who therefore are suing these
23 Defendants by fictitious names. Plaintiffs will amend this Complaint to show their
24 true names and capacities when the same have been ascertained. Plaintiffs allege on
25 information and belief that each of these fictitiously named Defendants is
26 responsible in some manner for the facts alleged herein. Plaintiffs allege on
27 information and belief that each of the Defendants named herein, including the Doe
28 Defendants, acted jointly, in concert, and with knowledge of the actions of each of

1 the other Defendants; acted as the agent and servant of each and every one of the
2 other Defendants with respect to the actions complained of herein; acted at all times
3 within the course and scope of said agency; and that each is equally liable for the
4 acts alleged below.

5 **JURISDICTION AND VENUE**

6 6. Diversity of citizenship exists between Plaintiffs and Defendants
7 pursuant to 28 U.S.C. § 1332 and the matter in controversy exceeds, exclusive of
8 interest, costs and attorneys' fees, \$75,000.

9 7. Venue in this district is appropriate pursuant to 28 U.S.C. § 1391 in that
10 Defendants purposefully directed their wrongful conduct at Plaintiffs, whom
11 Defendants know to be residents of this state, and because a substantial part of the
12 events giving rise to the causes of action alleged herein arose in this district.

13 **GENERAL ALLEGATIONS**

14 8. NZK and Horizon are the producer and distributor, respectively, of the
15 highly successful elimination-style reality television shows entitled, "The Bachelor,"
16 "The Bachelorette," and "Bachelor Pad" (collectively the "Bachelor Series"). All
17 three shows air on the ABC network.

18 9. "The Bachelor" debuted in 2002. Each season of The Bachelor
19 revolves around a single bachelor and a group of approximately 25 women vying for
20 his affections, all of whom live together in the same house. Over the course of the
21 season, the women are eliminated in a "rose ceremony." At the end of each season,
22 the bachelor selects a winner who receives the final rose, and in many cases, the
23 bachelor proposes marriage to the winning woman.

24 10. "The Bachelorette" and "Bachelor Pad" are spin-offs of "The
25 Bachelor," and operate on a similar, elimination-style premise.

26 11. All past, current and future participants in the Bachelor Series sign
27 contracts with Plaintiffs that require them to maintain the confidentiality of all
28 events that transpire on the Bachelor Series episodes prior their broadcast. Each

1 member of the Bachelor Series' cast and crew, as well as certain other employees,
2 also sign contracts with confidentiality clauses that prevent them from divulging
3 non-public information about any aspect of the episodes prior to their broadcast.

4 12. Plaintiffs are informed and believe, and on that basis allege, that
5 Defendant Reality Steve, LLC owns and operates the for-profit website at
6 www.realitysteve.com. This website, entitled RealitySteve, regularly publishes
7 updates and spoilers regarding several reality television shows, including primarily,
8 the Bachelor Series. These updates and spoilers include non-public information
9 regarding events that transpired on the Bachelor Series episodes prior to their
10 broadcast.

11 13. Plaintiffs are informed and believe, and on that basis allege, that
12 Defendants obtain confidential information about the Bachelor Series by contacting
13 and soliciting information from participants, cast, crew and/or other employees of
14 the Bachelor Series and by inducing them to breach their confidentiality obligations
15 to Plaintiffs. Defendants engaged in this conduct with full knowledge that Plaintiffs
16 are located in California and that the effects of Plaintiffs' actions would be felt
17 primarily within California.

18 14. Plaintiffs are further informed and believe, and on that basis allege, that
19 Defendants were fully aware of the confidentiality obligations binding the
20 participants, cast, and crew members of the Bachelor Series when they sought to
21 induced them to divulge non-public information about the show in breach of their
22 contracts.

23 15. By way of example, in a November 17, 2011 email sent from
24 steve@realitysteve.com to a participant in the Bachelor Series, Carbone wrote, "Let
25 me just say, I'm very well aware of your contract. I also know that over 500
26 contestants have been on this show and not one of them has ever been sued for the
27 \$5 million. It's just a scare tactic. Trust me. Just like they had no idea you sent me
28 that last email, they'll have no idea about any correspondence either. I know you're

1 scared and a little paranoid by it, but don't be. Unless they are hacking your email
2 or tapping your phone, there's absolutely no way for them to find out."

3 16. In the same email, Carbone went on to offer the participant monetary
4 incentive to induce her to breach her contract with Plaintiffs. He wrote, "Since you
5 are a student, and I know you have loans up the ying-yang, I'd be willing to
6 compensate you. . . . I swear, this is the easiest money you'd ever make and you and
7 I are the only two people that would know." A day later, Carbone emailed the
8 participant and wrote: "\$2500 to help me out. Not joking. Some of this stuff is
9 driving me nuts ha ha."

10 17. In another email dated November 2, 2011 to a former contestant on the
11 Bachelor Series, Carbone wrote, "I'm aware you were eliminated at the SF rose
12 ceremony, so I probably actually know more about what's happened since you left
13 than you do, however, I do have some blanks that need to be filled in during the
14 early episodes. I'm aware of your contract, but absolutely no one would know of
15 our conversing."

16 18. In a message sent via Facebook, Carbone reached out to yet another
17 contestant, and wrote, "I'm well aware of your contract and the producers have
18 probably struck the fear of God into you to never speak w me, but I'm here to help
19 you. Just looking for a couple details filled in, since I'm sure you're aware, plenty
20 of info is already out there that I've spilled. Could really use your help, and I'd be
21 willing to compensate you for it."

22 19. Plaintiffs have demanded that Carbone cease his efforts to induce
23 Bachelor Series participants and employees to breach their contracts with Plaintiffs.
24 On August 12, 2011, Plaintiffs' counsel sent a letter to Carbone, formally notifying
25 him that all participants, cast, crew and employees of the Bachelor Series are subject
26 to contractual prohibitions against disclosing confidential information acquired in
27 the course of their participation or employment. On November 22, 2011, Plaintiffs'
28 counsel wrote again to Carbone, informing him that Plaintiffs have become aware of

1 his intent to post additional confidential information on RealitySteve.com and
2 advising him that Plaintiffs would pursue legal action against him to protect their
3 sizeable financial investment in the Bachelor Series and to satisfy their obligation to
4 ABC to provide quality television programming which depends, in large part, on the
5 pre-broadcast confidentiality of the contents of each episode.

6 20. Plaintiffs are informed and believe, and on that basis allege, that
7 Defendants continue to seek confidential information from participants, cast, crew
8 and other employees of the Bachelor Series and, in the course of doing so, continue
9 to solicit and induce participants and employees of the Bachelor Series to breach
10 their contractual obligations to Plaintiffs.

11 21. Plaintiffs are further informed and believe, and on that basis allege, that
12 Defendants have publicly disclosed and posted confidential, non-public information
13 that they obtained from participants, cast, crew and/or other employees of the
14 Bachelor Series in violation of their contracts.

15 **FIRST CAUSE OF ACTION**

16 **(Intentional Interference with Contractual Relations)**

17 **(Against All Defendants)**

18 22. Plaintiffs restate and incorporate by reference their allegations
19 contained in the preceding paragraphs of this Complaint as if fully set forth herein.

20 23. All former and current participants, cast, crew and employees of the
21 Bachelor Series execute written contracts with Plaintiffs that include confidentiality
22 provisions prohibiting the disclosure of non-public information about events that
23 transpire in episodes of the Bachelor Series prior to their broadcast.

24 24. Plaintiffs are informed and believe, and on that basis allege, that at all
25 relevant times, Defendants were aware that all participants, cast, crew and
26 employees of the Bachelor Series execute contracts with Plaintiffs that include
27 confidentiality provisions.

28

1 25. Nonetheless, Defendants have contacted current and former
2 participants, cast, crew and employees and of the Bachelor Series and asked them to
3 provide confidential, non-public information regarding events that transpired in
4 episodes of the Bachelor Series prior to their broadcasts, by, among other things,
5 sending emails and Facebook messages to current and former Bachelor Series
6 participants, assuring participants that they need not be concerned about violating
7 their contracts with Plaintiffs as “absolutely no one would know” of their
8 conversations and offering monetary compensation as inducement for participants to
9 provide confidential information in breach of their contracts with Plaintiffs.

10 26. Despite Plaintiffs’ repeated requests, Defendants have continued to
11 induce participants, cast, crew members and/or other employees of the Bachelor
12 Series to breach their confidentiality obligations to Plaintiffs.

13 27. As a proximate result of Defendants’ conduct, various participant, cast,
14 crew members and/or other employees have breached their confidentiality
15 obligations to Plaintiffs by providing Defendants with confidential, non-public
16 information regarding the Bachelor Series episodes, which Defendants have publicly
17 disclosed and posted on the website at www.realitysteve.com. As a result of this
18 conduct, Plaintiffs have suffered damages in an amount greater than \$75,000.

19 28. The aforementioned acts of Defendants, and each of them, were willful,
20 oppressive, fraudulent, and malicious. Plaintiffs are therefore entitled to punitive
21 damages.

22 29. Plaintiffs are informed and believe, and on that basis allege, that
23 Defendants intend to continue interfering with Plaintiffs’ contracts with participants,
24 cast, crew members and other employees of the Bachelor Series in order to obtain
25 and publicly disclose confidential information regarding events that transpire on the
26 Bachelor Series episodes prior to their broadcast. Defendants’ continuing
27 interference with Plaintiffs’ contracts with participants, cast, crew and other
28 employees of the Bachelor Series would cause Plaintiffs great and irreparable injury,

1 for which damages would not afford adequate relief, in that they would not
2 adequately compensate for the injury to Plaintiffs' reputation and goodwill,
3 including their reputation and goodwill with ABC and other television show
4 distributors who must rely on Plaintiffs to ensure that their shows' contents are not
5 "spoiled" by pre-broadcast disclosure.

6 **SECOND CAUSE OF ACTION**

7 **(Unfair Competition – Cal. Bus. & Prof. Code § 17200 et seq.)**

8 **(Against All Defendants)**

9 30. Plaintiffs restate and incorporate by reference their allegations
10 contained in the preceding paragraphs of this Complaint as if fully set forth herein.

11 31. Plaintiffs have suffered an injury in fact as a result of the conduct of
12 each and every Defendant, as alleged herein.

13 32. The acts of Defendants complained of in each of the preceding
14 paragraphs of this Complaint, constitute unfair and illegal business acts, practices
15 and/or omissions in violation of California Business and Professions Code § 17200.

16 33. The acts of Defendants are unfair in violation of § 17200 in that they
17 are unscrupulous, immoral, unethical, oppressive and injurious to Plaintiffs.

18 34. The acts of Defendants are illegal in violation of § 17200 in that they
19 violate the common laws against interference with contractual relations, and in that
20 the acts allow for unjust enrichment of Defendants.

21 35. Plaintiffs are informed and believe, and on that basis allege, that
22 Defendants intend to continue the aforementioned unfair and illegal conduct in order
23 to obtain and publicly disclose confidential information regarding events that
24 transpire on the Bachelor Series episodes prior to their broadcast. Defendants'
25 continuing interference with Plaintiffs' contracts with participants and employees of
26 the Bachelor Series would cause Plaintiffs great and irreparable injury, for which
27 damages would not afford adequate relief, in that they would not adequately
28 compensate for the injury to Plaintiffs' reputation and goodwill, including their

1 reputation and goodwill with ABC and other television show distributors who must
2 rely on Plaintiffs to ensure that their shows' contents are not "spoiled" by pre-
3 broadcast disclosure.

4 WHEREFORE, Plaintiffs pray for judgment as follows:

5 1. For damages in an amount to be proven at trial but in any case greater
6 than \$75,000.

7 2. For exemplary and punitive damages.

8 3. For an order requiring Defendants to show cause why they should not
9 be enjoined as set forth below during the pendency of this action.

10 4. For a preliminary injunction and a permanent injunction enjoining
11 Defendants from interfering with Plaintiffs' contracts with participants and
12 employees of the Bachelor Series episodes by soliciting non-public information
13 from participants and employees regarding events that transpire in Bachelor Series
14 episodes prior to their broadcast and by offering monetary inducements to
15 participants and employees to disclose such information.

16 5. For an award of attorneys' fees and costs incurred as permitted by
17 applicable law.

18 6. For any other and further relief as the Court may deem proper.

19

20 DATED: December 6, 2011

Respectfully submitted,

21

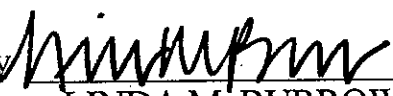
CALDWELL LESLIE & PROCTOR, PC
LINDA M. BURROW
TINA WONG

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By 
LINDA M. BURROW
Attorneys for Plaintiffs NZK PRODUCTIONS,
INC. and HORIZON ALTERNATIVE
TELEVISION INC.

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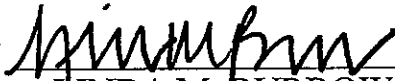
DEMAND FOR JURY TRIAL

Plaintiffs NZK Productions, Inc. and Horizon Alternative Television, Inc.
hereby demand trial by jury in this action.

DATED: December 6, 2011

Respectfully submitted,

CALDWELL LESLIE & PROCTOR, PC
LINDA M. BURROW
TINA WONG

By 
LINDA M. BURROW
Attorneys for Plaintiffs NZK PRODUCTIONS
INC. and HORIZON ALTERNATIVE
TELEVISION INC.

**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 George King and the assigned discovery Magistrate Judge is Charles Eick.

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

CV11- 10118 GHK (Ex)

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

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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.

CALDWELL LESLIE & PROCTOR, PC
LINDA M. BURROW, State Bar No. 194668
burrow@caldwell-leslie.com
1000 Wilshire Boulevard, Suite 600
Los Angeles, CA 90017-2463
Tel.: (213) 629-9040; Fax: (213) 629-9022

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NZK PRODUCTIONS INC., a California corporation,
and HORIZON ALTERNATIVE TELEVISION INC.,
a Delaware corporation,

PLAINTIFF(S)

v.

STEPHEN CARBONE, an individual, REALITY
STEVE, LLC, a Texas limited liability corporation,
and DOES 1 through 10, inclusive,

DEFENDANT(S).

CASE NUMBER

CV11 10118 - GHK (EX)

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached complaint _____ amended complaint counterclaim cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Linda M. Burrow, whose address is Caldwell Leslie & Proctor, PC, 1000 Wilshire Blvd., Suite 600, Los Angeles, CA 90017. If you fail to do so, 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.

Clerk, U.S. District Court

Dated: DEC - 6 2011

By: _____



Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

<p>I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>)</p> <p>NZK PRODUCTIONS INC., a California corporation, and HORIZON ALTERNATIVE TELEVISION INC., a Delaware corporation</p>	<p>DEFENDANTS</p> <p>STEPHEN CARBONE, an individual, REALITY STEVE, LLC, a Texas limited liability corporation, and DOES 1 through 10, inclusive</p>
<p>(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)</p> <p>CALDWELL LESLIE & PROCTOR, PC 1000 Wilshire Boulevard, Suite 600 Los Angeles, CA 90017-2463 Tel.: (213) 629-9040</p>	<p>Attorneys (If Known)</p>

<p>II. BASIS OF JURISDICTION (Place an X in one box only.)</p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)</p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)</p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)</p> <table style="width:100%;"> <tr> <td style="width:30%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> <td style="width:40%;"></td> <td style="width:10%; text-align: center;">PTF</td> <td style="width:10%; text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in this State</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	<input checked="" type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen of Another State	<input type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5																				
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. ORIGIN (Place an X in one box only.)

1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify): 6 Multi-District Litigation 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: Yes No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: Yes No **MONEY DEMANDED IN COMPLAINT:** \$ At least \$75,000.00

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.)

Intentional Interference with Contractual Relations; Unfair Competition, Cal. Bus. & Prof. Code Section 17200, et seq.

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

<p>OTHER STATUTES</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce/ICC Rates/etc.</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 810 Selective Service</p> <p><input type="checkbox"/> 850 Securities/Commodities/Exchange</p> <p><input type="checkbox"/> 875 Customer Challenge 12 USC 3410</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Act</p> <p><input type="checkbox"/> 892 Economic Stabilization Act</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 894 Energy Allocation Act</p> <p><input type="checkbox"/> 895 Freedom of Info. Act</p> <p><input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>	<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p> <p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Fed. Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input checked="" type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury-Med Malpractice</p> <p><input type="checkbox"/> 365 Personal Injury-Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization Application</p> <p><input type="checkbox"/> 463 Habeas Corpus-Alien Detainee</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>	<p>TORTS</p> <p>PERSONAL PROPERTY</p> <p><input type="checkbox"/> 370 Other Fraud</p> <p><input type="checkbox"/> 371 Truth in Lending</p> <p><input type="checkbox"/> 380 Other Personal Property Damage</p> <p><input type="checkbox"/> 385 Property Damage Product Liability</p> <p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/Accommodations</p> <p><input type="checkbox"/> 444 Welfare</p> <p><input type="checkbox"/> 445 American with Disabilities - Employment</p> <p><input type="checkbox"/> 446 American with Disabilities - Other</p> <p><input type="checkbox"/> 440 Other Civil Rights</p>	<p>PRISONER PETITIONS</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p><input type="checkbox"/> 540 Mandamus/Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p>HABEAS CORPUS DENIAL</p> <p><input type="checkbox"/> 610 Agriculture</p> <p><input type="checkbox"/> 620 Other Food & Drug</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 630 Liquor Laws</p> <p><input type="checkbox"/> 640 R.R. & Truck</p> <p><input type="checkbox"/> 650 Airline Regs</p> <p><input type="checkbox"/> 660 Occupational Safety/Health</p> <p><input type="checkbox"/> 690 Other</p>	<p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Empl. Ret. Inc. Security Act</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 840 Trademark</p> <p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923) (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609</p>
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CV11 10118

**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	

(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
	Texas

(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 PRO PER)  Date December 6, 2011

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. 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. (g))