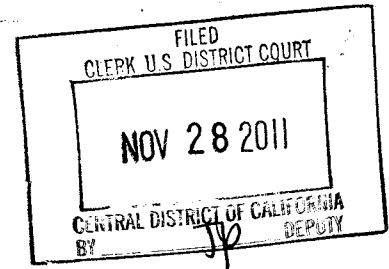


1 Geneva Reese, in pro se  
2 Summer Reese, in pro se  
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4 Michael Lemmon, in pro se  
5 Carlos Marroquin, in pro se  
6 Susan Lomas, in pro se  
7 Emilio Aguirre, in pro se

1872 Lucretia Avenue  
Los Angeles, CA 90026  
(510) 333-1965  
summerinthedesert@yahoo.com

8 Plaintiffs pro se



hds

10  
11  
12 **UNITED STATES DISTRICT COURT**

13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

14 Geneva Reese, in pro se )  
15 Summer Reese, in pro se )  
16 Edward Cotton, in pro se )  
17 Michael Lemmon, in pro se )  
18 Carlos Marroquin, in pro se )  
19 Susan Lomas, in pro se )  
20 Emilio Aguirre, in pro se )

21 Plaintiffs, )

22 v. )

23 CITY OF LOS ANGELES; MAYOR )  
24 ANTONIO VILLARAIGOSA; CHIEF )  
25 OF POLICE CHARLES BECK, )  
26 DEPUTY CHIEF OF POLICE JOSE )  
27 PEREZ JR., )

in their official capacities,

Defendants.

**CV 11-09790** GHK (JL)  
Case No. \_\_\_\_\_

**VERIFIED COMPLAINT FOR IN-  
JUNCTIVE AND DECLARATORY  
RELIEF; CIVIL RIGHTS VIOLATIONS**

**CLASS ACTION**

**42 U.S.C. § 1983  
FIRST AMENDMENT  
FOURTH AMENDMENT  
EIGHTH AMENDMENT  
FOURTEENTH AMENDMENT**

lodged TPO to show cause.

**JURISDICTION AND VENUE**



1 exercised in some other place.” (*Southeastern Promotions, Ltd. v. Conrad*, 420 U.S. 546, 556  
2 (1975), quoting *Schneider v. State*, 308 U.S. 147, 163 (1939)).

3           5.       Access to the “streets, sidewalks, parks, and other similar public places . . . for the  
4 purpose of exercising [First Amendment rights] cannot constitutionally be denied broadly. . . .”  
5 (*Food Employees v. Logan Valley Plaza*, 391 U.S. 308, 315 (1968).) Notwithstanding the said  
6 constitutional prohibition, Defendants on November 24, 2011 threatened the action complained  
7 of herein by causing signs to be posted about said park, citing its purported ordinance, viz., L.A.  
8 Mun. Code, § 63.44, proscribing entering, staying, or loitering in a park between the hours of  
9 10:30 p.m. and 5 a.m. of the following day (*id.*, subd. (B)(14)(a)), and proscribing camping or  
10 lodging in any park except in locations designated for such purposes (*id.*, subd. (D)(4)). For  
11 reasons that follow, Plaintiffs challenge the constitutionality of § 63.44, as applied to them under  
12 Defendants’ threat. (See *Tobe v. City of Santa Ana*, 9 Cal.4th 1069, 1111 [an as-applied, as  
13 opposed to facial challenge may successfully challenge anti-camping ordinance’s  
14 constitutionality where it violates the guaranty of Equal Protection under 14th Amend.]; and  
15 *Broadrick v. Oklahoma* (1973) 413 U.S. 601, 615—616 [defining as-applied challenge].)

16           6.       It is significant Plaintiffs do not challenge the constitutionality of the next section  
17 in Defendants’ code, viz., § 63.45. The last-mentioned section separately provides for park  
18 closures for the duration of an emergency, such as a flood, fire, accident, other disaster, riot, or  
19 unlawful assembly, “to any and all persons not authorized to enter or remain within such closed  
20 area.” It further proscribes any unauthorized person’s willful and knowing entry into such a  
21 closed area and forbids anyone from willfully remaining within such areas after receiving notice  
22 to evacuate or leave that area. (*Id.*, subd. B.) In the event of any “flood, fire, accident, disaster,  
23 riot, or unlawful assembly,” Defendants could and should exercise its power under section 63.45,  
24 based on a legitimate interest to which that section is necessarily drawn and narrowly tailored.

25           7.       There is no assurance the L.A. City Council, in enacting the preceding section,  
26 viz., 63.44, which mentions nothing with respect to assembly or expression, has focused on First  
27 Amendment interests and determined that other governmental policies compel regulation under

1 said 63.44 (*Grayned v. City of Rockford*, 408 U.S. 104, fn. 5 (1972)). Moreover, by reasonable  
2 inference based on the fact its posted signs cite, not section 63.45, but 63.44, Defendants  
3 impliedly concede Plaintiffs’ assembly is lawful.

4 8. Indeed, Solidarity Park is both a traditional and designated public forum. As a  
5 public park, the property in question is a traditional public forum. (*Hague v. CIO*, 307 U.S. 496,  
6 515 (1939) And where Defendants has explicitly designated the property in question as  
7 “Solidarity Park,” the L.A. City Council has opened it as a public forum. (See, e.g., *Church on*  
8 *the Rock v. City of Albuquerque* (10th Cir. 1996) 84 F.3d 1273, 1278 [senior center opened to the  
9 public for discussions]; *American Civil Liberties Union of Nev. v. City of Las Vegas* (9th Cir.  
10 2003) 333 F.3d 1092 [downtown area known as the “Freemont Street Experience”];  
11 *Southeastern Promotions, Ltd. v. Conrad* (1975) 420 U.S. 546, 555 [43 L.Ed.2d 448, 95 S.Ct.  
12 1239] [a municipally owned theater].)

13 9. Therefore, with respect to Plaintiffs’ lawful assembly in a public forum,  
14 Defendants threaten irreparable harm thereto under purported section 63.44 of its code, with  
15 respect to which the California Superior Court, Appellate Division said:

16 From our review of section 63.44, entitled “Regulations Affecting Park and  
17 Recreation Areas,” we conclude that it is regulatory in nature, [fn. omitted] rather  
18 than criminal, and that the purpose of its numerous subdivisions and subsections  
19 is to restrict and regulate the use of public parks and recreational areas under its  
20 purview in order to confine such usage to activities compatible with the natural  
21 resources of such places, otherwise to conserve those places in their pristine state,  
and to promote public health, safety and welfare in the usage of those parks and  
recreational areas. We further conclude that section 63.44(B)(14), a park closure  
regulation, was enacted to further those legislative purposes.  
(*People v. Trantham* (1984) 161 Cal.App.3d Supp. 1, 12—13.)

22 10. Nor is there assurance that the California judiciary (as by the above dicta) has  
23 focused on First Amendment interests and determined that other governmental policies compel  
24 regulation under 63.44. (See *Grayned v. City of Rockford*, 408 U.S., fn. 5, *supra*.) Defendants  
25 allege no common law basis for its threatened action to irreparably harm Plaintiffs’ First  
26 Amendment rights. Curfews and restrictions on nighttime activity have antecedents going back  
27 in English law to the 13th century. The Statute of Winchester 1285, 13 Edw. 1, c. 4, established

1 the original Night Watch, under which persons so appointed were instructed to arrest any  
2 strangers until morning. However, where section 63.44 “is regulatory in nature, . . . rather than  
3 criminal” (*People v. Trantham (supra)* 161 Cal.App.3d Supp. at 13), Defendants’ threatened  
4 action against Plaintiffs was unknown to the common law but is based solely on its purported  
5 authority under the said regulatory section 63.44.

6 11. Any interest Defendants might have in “deter[ring] those who would cloak  
7 themselves in dark of night to vandalize the parks or commit other acts of malicious mischief”  
8 (*People v. Trantham (supra)* 161 Cal.App.3d Supp., fn. 10) is purely “incidental[.]” (*ibid.*), and  
9 not cognizable as an interest on which Defendants may predicate lawful action delimiting their  
10 First Amendment rights in this case. Plaintiffs do concede that as a general matter, a State has a  
11 valid interest in protecting the “comfort and convenience” of persons using a public forum  
12 (*Grayned v. City of Rockford*, 408 U.S. 104, 115 (1972); *Cox v. New Hampshire*, 312 U.S. 569,  
13 574 (1941) [“The authority of a municipality to impose regulations in order to assure the safety  
14 and convenience of the people in the use of public highways has never been regarded as  
15 inconsistent with civil liberties but rather as one of the means of safeguarding the good order  
16 upon which they ultimately depend.”]

17 12. Although sitting or lying on a public sidewalk does not per se constitute  
18 expressive activity (*Amster v. City of Tempe*, 2001 U.S. App. LEXIS 9239 (9th Cir. 2001),  
19 Plaintiffs’ “overnight sleeping in connection with the demonstration is expressive conduct  
20 protected to some extent by the First Amendment.” (*Clark v. Community for Creative Non-*  
21 *Violence* (1984) 468 U.S. 288, 293.) In *Clark*, the U.S. Supreme Court considered then Lafayette  
22 Park and the Mall, wherein appellees sought permission to continue sleeping therein as an  
23 expressive activity, but in areas outside designated campgrounds as would have been permitted  
24 by a National Park regulation. The Court rejected appellees’ contention, saying:

25 In the first place, we seriously doubt that the First Amendment requires the Park  
26 Service to permit a demonstration in Lafayette Park and the Mall involving a 24-  
27 hour vigil and the erection of tents to accommodate 150 people. Furthermore,  
although we have assumed for present purposes that the sleeping banned in this  
case would have an expressive element, it is evident that its major value to this

1 demonstration would be facilitative. Without a permit to sleep, it would be  
difficult to get the poor and homeless to participate or to be present at all. . . .

2 *Clark* is to be distinguished from the instant case where Plaintiffs petition Defendants, whose  
3 policies, practices or customs directly affect the welfare of homeless residents of Los Angeles,  
4 evidenced by a multitude of litigation in the past decade. Unlike *Clark*, the instant case robustly  
5 involves the First Amendment right to a petition for redress of grievance.

6 13. Additionally, no governmental interest which is substantial, exists in conserving  
7 the property of Solidarity Park, such as is commensurate with that of a “Memorial-core park” of  
8 the National Parks (*Clark, supra*, 468 U.S. at 293). Based on whatever interest Defendants might  
9 have in maintaining the cleanliness of Solidarity Park, Defendants may not, in furtherance of  
10 such interest, abridge Plaintiffs’ First Amendment rights. (See *Schneider v. State*, 308 U.S. 147,  
11 163 (1939) [“The public convenience in respect of cleanliness of the streets does not justify an  
12 exertion of the police power which invades the free communication of information and opinion  
13 secured by the Constitution.”].) Therefore, notwithstanding Defendants’ threatened action,  
14 Plaintiffs are entitled to exercise their First Amendment rights in Solidarity Park, including their  
15 expressive activity of sleeping, which symbolizes homelessness. (See *Hague v. CIO* (1939) 307  
16 U.S. 496, 515—516. Cf. *Clark, supra*, 468 U.S. at 298 [government has substantial interest in  
17 maintaining its lawn in “attractive and intact condition” by prohibiting persons from walking on  
18 lawn in National Park].)

19 14. Defendants’ imminent threat of removal of homeless campers from this public  
20 forum violates their Fourteenth Amendment right to Equal Protection. In a limited public forum,  
21 the power to remove persons may be properly exercised under similar conditions. (See *Kreimer*  
22 *v. Morristown* (3d Cir. 1992) 958 F.2d 1242 [public library is a limited public forum, and a  
23 homeless man could be barred therefrom for failure to comply with library rule on hygiene].)  
24 Since these class members are homeless, they must camp or lodge in Solidarity Park. They  
25 cannot escape Defendants’ policies, practices or customs challenged herein without relinquishing  
26 their First Amendment rights, which they are entitled to exercise in Solidarity Park, as any public  
27 forum.









1           28.     Plaintiffs reallege and incorporate herein by reference, as though fully set forth  
2 herein, each and every allegation contained in Paragraphs 1 through 14, inclusive.

3           29.     An actual controversy has now arisen and exists between Plaintiffs and  
4 Defendants regarding the challenged policies, practices or customs implemented and engaged in  
5 by Beck and officers under his command in Downtown. Plaintiffs contend that Defendants are  
6 engaging in unconstitutional conduct in violation of the First, Fourth, Eighth and Fourteenth  
7 Amendments to the U.S. Constitution in an effort to drive the homeless from public view in  
8 Solidarity Park, and to suppress the content Plaintiffs and the class members' free expression.

9           30.     Plaintiffs and class members are informed and believe and on that basis allege  
10 that Defendants dispute these contentions and contend otherwise.

11          31.     Plaintiffs desire a judicial determination and declaration of their constitutional  
12 rights and the constitutional limitations on the conduct by Defendants, and specifically that  
13 Plaintiffs' contentions, hereinabove set forth, are correct.

14          32.     This declaration is necessary and appropriate at the present time in order to set at  
15 rest the constitutional rights and obligations of the parties.

16                 WHEREFORE, Plaintiffs pray for relief as follows:

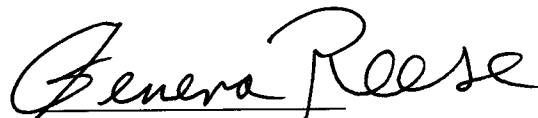
17          1.     A temporary restraining order, enjoining DEFENDANTS, their officers, agents  
18 and employees from interfering with plaintiffs constitutionally protected rights under the First,  
19 Fourth, Fourteenth Amendments;

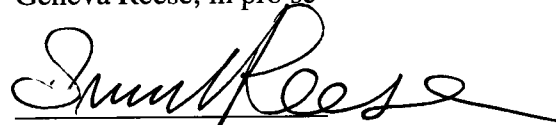
20          2.     A preliminary and permanent injunction, enjoining Defendants, their officers,  
21 agents and employees from interfering with plaintiffs' constitutionally protected rights under the  
22 First, Fourth, Fourteenth Amendments;

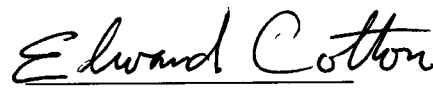
23          3.     For a declaration that Defendants' past, present and threatened future actions  
24 violate plaintiffs' and class members' rights to free speech, association and assembly under the  
25 First Amendment; rights to be free from unreasonable searches and seizures under the Fourth  
26 Amendment; and rights to be on the public streets and sidewalks of Skid Row without any  
27 purpose under the liberty interest protected by the Fourteenth Amendment.

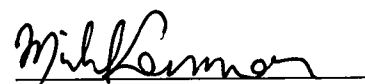
- 1           4.     For costs of suit pursuant to 28 U.S.C. § 1920 and 42 U.S.C. § 1988;  
2           5.     For attorneys' fees pursuant to 42 U.S.C. § 1988, at such time as Plaintiff retain  
3 counsel; and  
4           6.     For such other relief as the Court deems just and proper.

5  
6 Dated: November 25, 2011

7   
8 Geneva Reese, in pro se

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10 Summer Reese, in pro se

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12 Edward Cotton, in pro se

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14 Michael Lemmon, in pro se

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16 \_\_\_\_\_  
17 Carlos Marroquin, in pro se

18  
19 \_\_\_\_\_  
20 Susan Lomas, in pro se

21 \_\_\_\_\_  
22 Emilio Aguirre, in pro se  
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26  
27

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

<b>I (a) PLAINTIFFS</b> (Check box if you are representing yourself <input checked="" type="checkbox"/> Geneva Reese, in pro se Summer Reese, in pro se Edward Cotton, in pro se Michael Cotton, in pro se	<b>DEFENDANTS</b> CITY OF LOS ANGELES; MAYOR ANTONIO VILLARAIGOSA; CHIEF OF POLICE WILLIAM BECK, DEPUTY CHIEF OF POLICE JOSE PEREZ JR.,  in their official capacities.
<b>(b) Attorneys</b> (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) 1872 Lucretia Avenue, Los Angeles, CA 90026 (510) 333-1965 summerinthedesert@yahoo.com	<b>Attorneys (If Known)</b>

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

**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.)

42 U.S.C. Section 1983, Injunctive Relief protecting constitutional rights under the First, Fourth, Eighth and Fourteenth Amendments thereto

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

<b>OTHER STATUTES</b> <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	<b>CONTRACT</b> <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise <b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>TORTS</b> <b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<b>TORTS</b> <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability <b>BANKRUPTCY</b> <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <b>FORFEITURE / PENALTY</b> <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	<b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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CV11-09790

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

**AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.**

**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
Los Angeles	

(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): Sum Reese Date 11/28/11

**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))

**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
Los Angeles	

(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): *Geneva Reese* Date 11/28/11

**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))
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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
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Los Angeles	

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Los Angeles	

(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.**

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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): *Michelle Rimmer* Date 11/28/11

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**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))
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**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
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(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.  
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\* 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): Edward Cotton Date 11/28/11

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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))
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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))