

1 Anna Y. Park, CA SBN 164242
2 Michael Farrell, CA SBN 266553
3 Connie K. Liem, TX SBN 791113
4 U.S. EQUAL EMPLOYMENT
5 OPPORTUNITY COMMISSION
6 255 East Temple Street, Fourth Floor
7 Los Angeles, CA 90012
8 Telephone: (213) 894-1083
9 Facsimile: (213) 894-1301
10 E-Mail: lado.legal@eoc.gov

11 Attorneys for Plaintiff
12 U.S. EQUAL EMPLOYMENT
13 OPPORTUNITY COMMISSION

COPY

BY: _____

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

10 SEP 20 AM 10:15

FILED

11 **UNITED STATES DISTRICT COURT**
12 **CENTRAL DISTRICT OF CALIFORNIA**
13 **SOUTHERN DIVISION**

14 U.S. EQUAL EMPLOYMENT
15 OPPORTUNITY COMMISSION,

16
17 Plaintiff,

18 vs.

19 CHAPMAN UNIVERSITY and THE
20 BOARD OF TRUSTEES OF
21 CHAPMAN UNIVERSITY, and
22 DOES 1-10, INCLUSIVE,

23 Defendant(s).

Case No. SACV10-1419-GJC (RNB)

24 **COMPLAINT-CIVIL RIGHTS;**
25 **EMPLOYMENT**
26 **DISCRIMINATION**

27 **JURY TRIAL DEMAND**

28 **NATURE OF THE ACTION AND JURISDICTION**

This is an action under Title VII of the Civil Rights Act of 1964, and Title I of the Civil Rights Act of 1991 ("Title VII") to correct unlawful employment

1 practices on the basis of race, Black, and to seek appropriate relief on behalf of
2 Stephanie Dellande, Ph.D., the Charging Party who was adversely affected by
3 these practices. Plaintiff United States Equal Employment Opportunity
4 Commission (the "Commission") alleges that Chapman University and the Board
5 of Trustees of Chapman University and DOES 1-10 (hereinafter collectively
6 referred to as "Defendants") subjected Dr. Dellande to unlawful employment
7 practices on the basis of her race, Black. More specifically, Defendants denied
8 Dr. Dellande's application for tenure and promotion to an Associate Professor
9 position, and discharged her on the basis of her race, Black, in violation of
10 Section 703(a) of Title VII.
11
12
13
14

15 **JURISDICTION AND VENUE**

16 1. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. §§ 451,
17 1331, 1337, 1343, and 1345. This action is authorized and instituted pursuant to
18 § 706(f)(1) and (3), as amended, 42 U.S.C. § 2000e-5(f)(1) and (3), and § 102 of
19 Title I of the Civil Rights Act of 1991, 42 U.S.C. § 1981a
20
21

22 2. The employment practices alleged to be unlawful were committed
23 within the jurisdiction of the United States District Court for the Central District
24 of California, Southern Division.
25

26 **PARTIES**

27 3. The Commission is the agency of the United States of America
28

1 charged with the administration, interpretation, and enforcement of Title VII, and
2 is expressly authorized to bring this action under §706(f)(1) and (3) of Title VII,
3
4 42 U.S.C. § 2000e- 5(f)(1) and (3).

5 4. At all relevant times, Defendants have continuously been California
6 corporations doing business in Orange County, State of California. Chapman
7
8 University is a private non-profit university located in Orange, California. The
9 Commission is under the informed belief that the Board of Trustees of Chapman
10 University oversees, manages, and defends the actions against Chapman
11 University. The Board of Trustees of Chapman University is liable for unlawful
12 actions of Chapman University.
13

14
15 5. At all relevant times, all Defendants have continuously been
16 employers engaged in an industry affecting commerce, within the meaning of
17
18 Section 701(b), (g) and (h) of Title VII, 42 U.S.C. §§ 2000e (b), (g) and (h).

19 6. At all relevant times, Defendants have continuously employed fifteen
20
21 (15) or more persons.

22 7. All of the acts and failures to act alleged herein were duly performed
23
24 by and attributable to all Defendants, each acting as a successor, agent, employee,
25 alter ego, indirect employer, joint employer, single employer, integrated
26 enterprise, or under the direction and control of the others, except as specifically
27
28 alleged otherwise. Said acts and failures to act were within the scope of such

1 agency and/or employment, and each Defendant participated in, approved and/or
2 ratified the unlawful acts and omissions by the other Defendants complained of
3 herein. Whenever and wherever reference is made in this Complaint to any act by
4 a Defendant or Defendants, such allegations and reference shall also be deemed to
5 mean the acts and failures to act of each Defendant acting individually, jointly,
6 and/or severally.
7

8
9 8. Plaintiff is ignorant of the true names and capacities of each
10 defendant sued as DOES 1 through 10, inclusively, and therefore Plaintiff sues
11 said defendants by fictitious names. Plaintiff reserves the right to amend the
12 complaint to name each DOE defendant individually or corporately as it becomes
13 known. Plaintiff alleges that each DOE defendant was in some manner
14 responsible for the acts and omissions alleged herein and Plaintiff will amend the
15 complaint to allege such responsibility when the same shall have been ascertained
16 by Plaintiff.
17
18
19

20 **CONDITIONS PRECEDENT**
21

22 9. More than thirty (30) days prior to the institution of this lawsuit, Dr.
23 Dellande filed a charge of discrimination with the Commission alleging that
24 Defendants violated Title VII.
25

26 10. Prior to the institution of this lawsuit, the Commission issued a Letter
27 of Determination to Defendants finding reasonable cause to believe that Dr.
28

1 Dellande was discriminated against because of her race, Black.

2 11. Prior to the institution of this lawsuit, the Commission's
3 representatives attempted to eliminate the unlawful employment practices alleged
4 below and to effect Defendants' voluntary compliance with Title VII through
5 informal methods of conciliation, conference, and persuasion.
6

7
8 12. Prior to the institution of this lawsuit, all conditions precedent were
9 satisfied.
10

11 STATEMENT OF CLAIMS

12 13. Possessing a Ph.D. in Marketing from the University of California,
13 Irvine, an M.B.A. from the University of California, Riverside, and a B.S. in
14 Medical Technology from Loyola University, Dr. Dellande was employed as an
15 Assistant Professor of Marketing for Defendants' George L. Argyros School of
16 Business & Economics (the "ASBE") from September 2001 until she was
17 discharged during June 2008.
18

19
20 14. Before applying for tenure, Dr. Dellande received positive comments
21 from her superiors and colleagues regarding her job performance and was told she
22 was making progress and on track toward receiving tenure. These
23 commendations included: "Dr. Dellande is very deserving of retention and [] she
24 is making good progress towards achieving the tenure standards of the ASBE
25 tenured faculty," "the tenured faculty did not find any deficiency in Dr.
26
27
28

1 Dellande's record," "has proven she is capable of A+ work," "has amassed, in
2 my opinion, a record of accomplishments in the areas of scholarship, teaching,
3 and service that warrant retention," "the [Faculty Personnel Counsel believes that
4 you have met the University's requirements for teaching, scholarly/creative
5 activity, and service and are well on the road to receiving tenure at Chapman,"
6 and that Dr. Dellande has shown "strong teaching," "strong advising," and "strong
7 record" in "the area of scholarly and creative activity."

10 15. At the time Dr. Dellande applied for tenure, she was the sole Black
11 faculty member in a department of approximately 30

13 16. Sometime during 2006, Dr. Dellande began her application process
14 for tenure and promotion to Associate Professor. On October 12, 2006,
15 Defendants' Faculty Review Committee of the ASBE denied her tenure claiming
16 deficient teaching effectiveness and service, and inadequate scholarly
17 contributions.
18

20 17. On June 28, 2008, Defendants' Board of Trustees affirmed Dr.
21 Dellande's tenure denial despite recommendations from all four external
22 reviewers and peers within Chapman University that Dr. Dellande's teaching
23 effectiveness, scholarly work and quality, and service warranted granting her
24 tenure. Having failed to obtain tenure, Dr. Dellande was discharged shortly
25 thereafter.
26
27
28

1 B. Order Defendants to institute and carry out policies, practices, and
2 programs to ensure that they would not engage in unlawful employment practices
3 in violation of Section 703 (a) of Title VII.
4

5 C. Order Defendants to make Dr. Dellande whole by providing
6 appropriate back pay with prejudgment interest, in amounts to be determined at
7 trial, and other affirmative relief necessary to eradicate the effects of its unlawful
8 employment practices, including but not limited rightful place reinstatement or
9 front pay.
10

11 D. Order Defendants to make Dr. Dellande whole by providing
12 compensation for past and future pecuniary losses, including but not limited to out
13 of pocket expenses suffered by her resulting from the unlawful employment
14 practices described above in amounts to be determined at trial.
15

16 E. Order Defendants to make whole Dr. Dellande by providing
17 compensation for non-pecuniary losses resulting from the unlawful employment
18 practices described above in amounts to be determined at trial. The non-pecuniary
19 losses include emotional pain, suffering, inconvenience, mental anguish,
20 humiliation and loss of enjoyment of life, in amounts to be determined at trial.
21

22 F. Order Defendants to pay punitive damages for their malicious
23 and/or reckless conduct in an amount to be determined at trial.
24

25 G. Award the Commission its costs of this action.
26
27
28

1 H. Grant such further relief as the Court deems necessary and proper in
2 the public interest.

3 **JURY TRIAL DEMAND**

4
5 The Commission requests a jury trial on all questions of fact raised by its
6 complaint.

9 P. DAVID LOPEZ
10 General Counsel

11 JAMES LEE
12 Deputy General Counsel

13 GWENDOLYN YOUNG REAMS
14 Associate General Counsel

15 U.S. EQUAL EMPLOYMENT
16 OPPORTUNITY COMMISSION
17 131 "M" Street, N.W.
18 Washington, D.C. 20507

19 Date: September 17, 2010

20 
21 ANNA Y. PARK
22 Regional Attorney

23 MICHAEL FARRELL
24 Supervisory Trial Attorney

25 CONNIE K. LIEM
26 Senior Trial Attorney

27 U.S. EQUAL EMPLOYMENT
28 OPPORTUNITY COMMISSION

ORIGINAL

UNITED STATES DISTRICT COURT
for the
Central District of California

U.S. Equal Employment Opportunity Commission)
Plaintiff)
v.)
Chapman University, et al. See Attached)
Defendant)

Civil Action No. SACV10-1419-CJC(RNB)

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.

CLERK OF COURT

Mary Deen

Signature of Clerk or Deputy Clerk

Date: 20 SEP 2010

1 Anna Y. Park, CA SBN 164242
2 Michael Farrell, CA SBN 266553
3 Connie K. Liem, TX SBN 791113
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11 Attorneys for Plaintiff
12 U.S. EQUAL EMPLOYMENT
13 OPPORTUNITY COMMISSION

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **SOUTHERN DIVISION**

17 U.S. EQUAL EMPLOYMENT
18 OPPORTUNITY COMMISSION,

19 Plaintiff,

20 vs.

21 CHAPMAN UNIVERSITY and THE
22 BOARD OF TRUSTEES OF
23 CHAPMAN UNIVERSITY, and
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28 of the Civil Rights Act of 1991 ("Title VII") to correct unlawful employment

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:

COPY

UNITED STATES DISTRICT COURT
for the
Central District of California

U.S. Equal Employment Opportunity Commission)

Plaintiff)

v.)

Chapman University, et al. SEE ATTACHED)

Defendant)

Civil Action No. SACV10-1419-CJC (RNB)

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

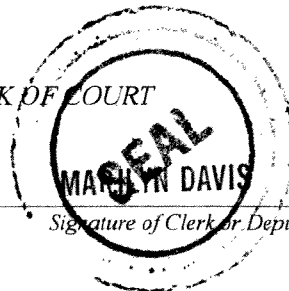
A lawsuit has been filed against you.

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.

Date: 20 SEP 2010

CLERK OF COURT



Signature of Clerk or Deputy Clerk

1 Anna Y. Park, CA SBN 164242
2 Michael Farrell, CA SBN 266553
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11 Attorneys for Plaintiff
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14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**
16 **SOUTHERN DIVISION**

17 U.S. EQUAL EMPLOYMENT
18 OPPORTUNITY COMMISSION,

19 Plaintiff,

20 vs.

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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
CIVIL COVER SHEET**

COPY

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) U.S. Equal Employment Opportunity Commission	DEFENDANTS Chapman University and the Board of Trustees of Chapman University, and Does 1-10, Inclusive
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) U.S. Equal Employment Opportunity Commission, (213) 894-1083 255 E. Temple Street, 4th Floor Los Angeles, CA 90012	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input 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)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border: none;"> <tr> <td style="width:30%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:40%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input 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
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
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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 2000e et. seq., employee suffered unlawful employment practices on the basis of race, Black.

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

OTHER STATUTES <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	CONTRACT <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 REAL PROPERTY <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	TORTS PERSONAL INJURY <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 IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <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 BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" 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 type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <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 FORFEITURE / PENALTY <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	LABOR <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 PROPERTY RIGHTS: <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <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)) FEDERAL TAX SUITS: <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
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FOR OFFICE USE ONLY: Case Number: SACVID-1419

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 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
Orange County	

(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
Orange County	

* 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

9/17/10

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))