09-682MEJ

🏂 JS 44 (Rev. 12·07) (cand rev 1-16-08)

CIVIL COVER SHEET

The 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, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON PAGE TWO OF THE FORM.)

	IRUCTIONS ON PAGE IV	VO OF THE FORM	1.)				
I. (a) PLAINTIFFS			DEFENDANTS				
Richard Roe, Richard Roe, II, and Don A. Nelson			John Doc, Mark Cuban, Dallas Basketball, Ltd., and Docs 1-10				
(b) County of Residence of First Listed Plaintiff Alameda				County of Residence of First Listed Defendant			
(EXCEPT IN U.S. PLAINTIFF CASES)				(IN U.S. PLAINTIFF CASES ONLY)			
				NOTE IN LAND COL LAND INVOL	/ .	HE LOCATION OF THE	
(c) Attorney's (Firm Name, Address, and Telephone Number)				Attorneys (If Known)			
John D. O'Connor, Bradley P. Kaplan, O'Connor and Associates				Attorneys for Defendants Mark Cuban and Daffas Basketball, Ltd:			
One Embarcadero Center, Tenth Floor, Suite 1020, San Francisco, California 94111, (415) 693-9960				Charles L. Babcock, Amanda L. Bush, Jackson Walker, LLP, 1401 McKinney Avenue, Suite 1900, Houston, Texas 77010, (713) 752-4200			
			T				
. BASIS OF JURISDIC	CTION (Place an "X" in O	ne Box Only)	III. CI	(For Diversity Cases Only)		Place an "X" in One Box for Plaintiff and One Box for Defendant)	
1 U.S. Government 3 Federal Question Plaintiff (U.S. Government Not a Party)			Cıti	zeu of This State	DEF I Incorporated or Princi of Business In Th		
2 U.S. Government Defendant A Diversity (Indicate Citizenship of Parties in Item III)			Citi	zen of Auother State 2	2 Incorporated and Print of Business In Ar		
				zen or Subject of a 3 Foreign Country	3 Foreign Nation	6 6	
. NATURE OF SUIT							
CONTRACT 110 Instrume	PERSONAL INJURY	PERSONAL IN		FORFEITURE/PENALTY	BANKRUPTCY 422 Appeal 28 USC 158	OTHER STATUTES 400 State Reapportionment	
120 Marine	Airplane	362 Personal Inj	my-	620 Other Food & Drug	423 Withdrawal	🗖 410 Aเมิปกรา	
130 Miller Act 140 Negotiable Instrument	315 Amplane Product	Med. Malpr	actice [625 Dnig Related Seizure of Property 21 USC 881	28 USC 157	430 Banks and Banking	
	Iliability 320 Assault, Libel &	365 Personal Inc		630 Liquor Laws	PROPERTY RIGHTS	450 Commerce 460 Deportation	
& Enforcement of Judgment	Slauder	368 Asbestos Pe		640 R.R. & Truck	820 Copyrights	470 Racketeer Influenced and	
51 Medicare Act	33 Federal Employers'	Injury Produ	ict [650 Auline Regs.	830 Patent	Compt Organizations	
152 Recovery of Defaulted Student Lonus	Liability 340 Marine	Liability	- L	560 Occupational Safety Health	840 Trademark	480 Consumer Credit	
(Excl. Veteratis)	345 Marine Product	PERSONAL PRO 370 Other Fraud		690 Other		810 Selective Service	
153 Recovery of Overpayment	Liability	371 Touth in Let		LABOR	SOCIAL SECURITY	850 Securities Commodities	
of Veteran's Benefits 160 Stockholders' Suits	350 Motor Vehicle	380 Other Person	ual =	710 Fair Labor Standards	861 HIA (1395ff)	Exchange 875 Customer Challenge	
190 Other Contract	355 Motor Vehicle Product Liability	Property Date 385 Property Date 385		Act	862 Black Ling (923)	12 USC 3410	
195 Courract Product Liability	360 Other Personal Injury	Product Lial		720 Labor Mgnt. Relations	863 DIWC/DIWW (405(g))	890 Other Statutory Actions	
196 Franchise		PRISONE	R	☐ 730 Labor/Mgmr.Reporting & Disclosure Act	864 SSID Title XVI 865 RSI (405(g))	891 Agricultural Acts 892 Economic Stabilization A	
REAL PROPERTY	CIVIL RIGHTS	PETITIO		740 Railway Labor Act		893 Environmental Matters	
210 Land Condemnation	441 Voting	510 Motions to	acate L	790 Other Labor Litigation		894 Energy Allocation Act	
220 Foreclosure	142 Employment	Sentence	F	791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS	- 895 Freedom of Information Act	
230 Rent Lease & Ejectment 240 Torts to Land	Accommodations	Habeas Corpus 530 General	•	Seemly Act	870 Taxes (U.S. Plaintiff	900Appeal of Fee	
245 Tort Product Liability	444 Welfare	535 Death Penal	ry L		or Defendant)	Determination	
290 All Other Real Property	445 Amer. w/Disabilities -	540 Mandanns (& Other	IMMIGRATION	871 IRS—Third Party 26 USC 7609	Under Equal Access to Justice	
1	Employment 446 Amer. w/Disabilities	550 Civil Rights	itiou E	462 Naturalization Application	20 030 7009	950 Constitutionality of	
	Other		····	463 Habeas Corpus - Alien Detainee		State Statutes	
	440 Other Civil Rights		F	465 Other Immugration Actions			
ORIGIN (Place an "X" 1 Original 3 2 Remo Proceeding State 6	_	nded from 🔲	4 Reinstat Reopen	_		Appeal to District 7 Judge from Magistrate	
·	C + 1.116 C 2.6			O		Judgment	
			you are fil	mig (no not cite larisquette	nal statutes unless diversity	y):	
	128 U.S.C. 1337 78						
. CAUSE OF ACTION	N 28 U.S.C. 1332, 28	niike.					
. CAUSE OF ACTION	Brief description of c	ause:					
		IS A CLASS ACT	10N	DEMAND \$	CHECK YES		
I. REQUESTED IN COMPLAINT:	Brief description of c Defamation CHECK IF THIS UNDER F.R.C.P. 2 PLEASE REFER	IS A CLASS ACT	3-12 CON	DEMAND S CERNING REQUIREME	JURY DEM	s only if demanded in complaint AND: Yes No	
I. REQUESTED IN COMPLAINT: II. RELATED CASE(S) IF ANY DIVISIONAL ASSIGNS	Brief description of c Defamation CHECK IF THIS UNDER F.R.C.P. 2 PLEASE REFER "NOTICE OF RI MENT (CIVIL L.R. 3-)	IS A CLASS ACT 23 2 TO CIVIL L.R. ELATED CASE". 2)	3-12 CON		JURY DEM		
II. RELATED CASE(S)	Brief description of c Defamation CHECK IF THIS UNDER F.R.C.P. 2 PLEASE REFER "NOTICE OF RI MENT (CIVIL L.R. 3-2 BOX ONLY)	IS A CLASS ACT 13 15 TO CIVIL L.R. 16 ELATED CASE". 17	3-12 CON SAN F	RANCISCO/OAKLANI	JURY DEM NT TO FILE SAN JOSE		